

INVENTORY
OF THE
COUNTY
ARCHIVES
OF
INDIANA

No. 46

LA PORTE COUNTY

1939

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INVENTORY OF THE COUNTY ARCHIVES OF INDIANA

Prepared by

The Historical Records Survey
Division of Professional and Service Projects
Works Progress Administration

NO. 46. LA PORTE (LA PORTE)



Indiana Historical Bureau
Indianapolis
1939



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FOREWORD

The Inventory of County Archives of Indiana is one of a number of bibliographies of historical materials prepared throughout the United States by workers on the The Historical Records Survey of the Works Progress Administration. The publication herewith presented, an inventory of the archives of La Porte County, is number 46 of the Indiana series.

The Historical Records Survey was undertaken in the winter of 1935-36 for the purpose of providing useful employment to needy unemployed historians, lawyers, teachers, and research and clerical workers. In carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political, economic, and social history. The archival guide herewith presented is intended to meet the requirements of day-to-day administration by the officials of the county, and also the needs of lawyers, business men, and other citizens who require facts from the public records for the proper conduct of their affairs. The volume is so designed that it can be used by the historian in his research in unprinted sources in the same way he uses the library card catalog for printed sources.

The inventories produced by The Historical Records Survey attempt to do more than give merely a list of records—they attempt further to sketch in the historical background of the county or other unit of government, and to describe precisely and in detail the organization and functions of the government agencies whose records they list. The county, town, and other local inventories for the entire country, will, when completed, constitute an encyclopedia of local government as well as a bibliography of local archives.

The successful conclusion of the work of The Historical Records Survey, even in a single county, would not be possible without the support of public officials, historical and legal specialists, and many other groups in the community. Their co-operation is gratefully acknowledged.

The Survey was organized and has been directed by Luther H. Evans, and operates as a nation-wide project in the Division of Professional and Service Projects, of which Mrs. Florence Kerr, Assistant Administrator, is in charge.

F. C. HARRINGTON
Administrator



PREFACE

The survey of local public records in Indiana was instituted on February 19, 1936, as a part of a nation-wide undertaking under the supervision of Dr. Luther H. Evans. Samuel J. Kagan, Archivist in the Indiana State Library, was assigned to lead the project as State Director. In the beginning the Survey was closely associated with the Federal Writers' Project. On September 23, 1936, The Historical Records Survey was nominally as well as factually made independent of the Writers' Project. In general, it has from its very inception acted as a separate and independent unit of Federal Project No. 1.

The inventory proper is preceded by a number of introductory essays to enlighten the reader concerning facts and events forming the background and basis of the records. The entries for the record series are carried in consecutive numbering for the county. The bureaus are arranged in functional order: Governing boards; major administrative offices; judicial offices; and financial, election, educational, health, public welfare, engineering, and other groups. Whenever applicable, natural groupings under separate headings are made within the bureau, and the entries are arranged thereunder also according to functional sequence. An extensive index will aid the reader to locate records with a minimum of inconvenience and effort.

The field work of the survey of La Porte County records was begun on April 4, 1936, under the district supervision of Mrs. Naomi Phillips, of Gary, later succeeded by L. B. Fowler, of Gary, who in turn was succeeded by Earl E. Sailor, of Gary. The field workers were Roy Hay and Alvin Vanderwalker, both of La Porte. It was completed on May 8, 1936. Many visits to the courthouse, however, have since been made by revisers to check and recheck the information contained herein, the final recheck having been made by Robert Waters, of La Porte, in January 1939.

The editing of this inventory has been conducted by an editorial staff, whose labors we deeply appreciate and wish to recognize forthwith: Frank E. Ross, Historical Research Supervisor, under whose supervision the final manuscript was prepared for publication; Marshall Cowgill, field supervision and final review of entries; W. Davis Hamilton, legal research; Fred E. Knodle, cartography; and Daus J. Summers, proofreading and indexing. The housing report was compiled by Richard I. Nation.

The original survey was made at the record depositories. The entries were compiled in the form of this inventory in the district office at Gary. Of the industrious and painstaking devotion to his task of each and every person who had a part in the Survey we are keenly aware, and we regret that we cannot commend by name all those whose services have contributed to the publication of this volume.

The Survey is indebted to county officials; to the State Works Progress Administration; to John K. Jennings, State Administrator; to Mildred E. Schmitt, Director of the Professional and Service Division, who has rendered the Survey a great personal service in the administering of the project; to Herbert P. Kenney, Director of the Legislative Bureau, who placed the facilities of the bureau at our command at all times; to Philip Zoercher, Chairman of the State Board of Tax Commissioners; and to Dr. Christopher B. Coleman, Director of the Indiana Historical Bureau, who has given technical service to the project.

An appropriation by the county council of La Porte County has made this publication possible. The Indiana Historical Bureau has assumed the responsibility of printing only. The Historical Records Survey has had entire charge of the editorial supervision and of seeing the volume through the press.

Five hundred copies of this volume have been printed. Copies have been distributed without charge to state libraries, to various governmental offices, and other depositories. The remainder are for sale through the Indiana Historical Bureau and the Auditor of La Porte County.

SAMUEL J. KAGAN

State Director, The Historical Records Survey

Indianapolis, Indiana

May 1939

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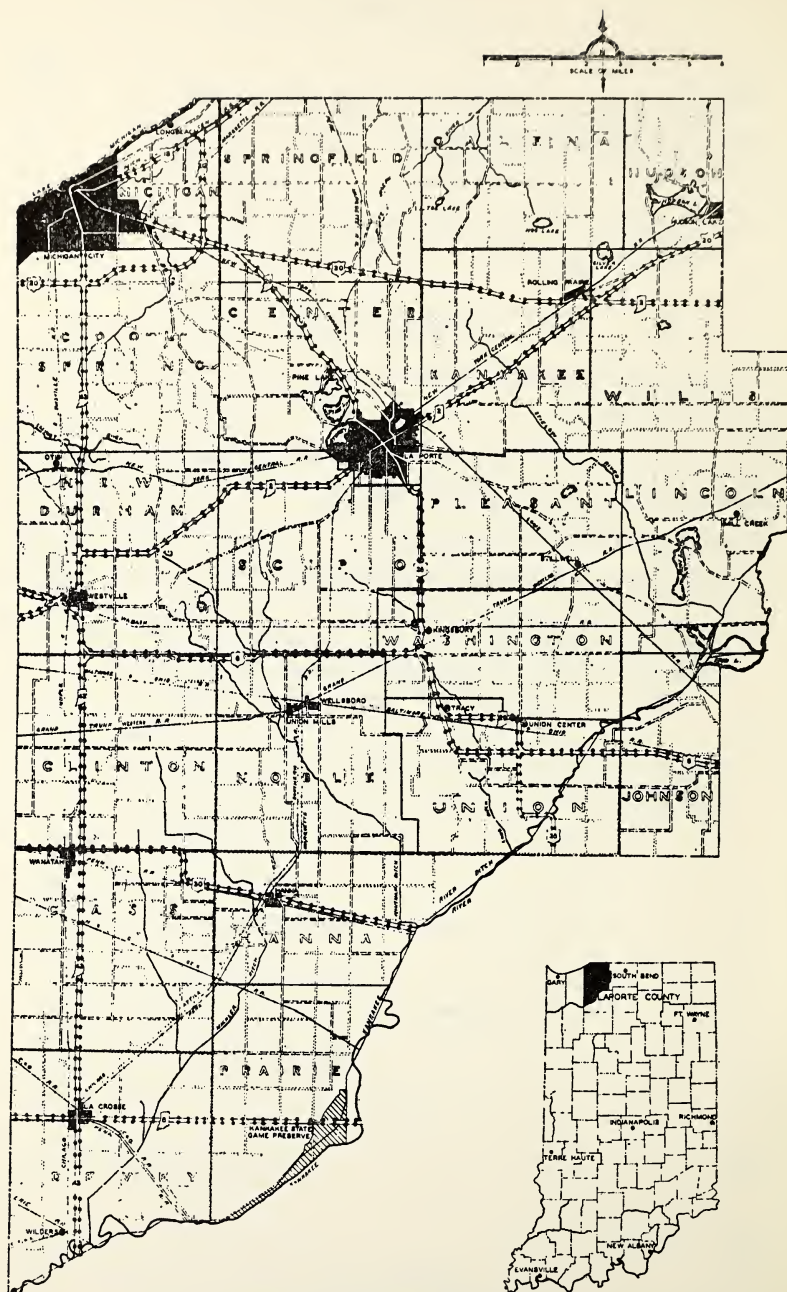
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MAP OF LA PORTE COUNTY

PART A. LA PORTE COUNTY AND ITS RECORDS SYSTEM

1. HISTORICAL SKETCH

La Porte County, lying in northwestern Indiana, is extremely irregular in shape—with meandering boundaries on the south, east, and northwest. It is one of the largest counties in the state and has an area of 595 squares miles, or 380,000 acres. The county is bounded on the northwest by Lake Michigan, on the north by the State of Michigan, on the east by St. Joseph County, on the south by Starke, and on the west by Porter.¹

Many years after Indiana entered the Union as a state, the northern boundary was controverted. When Michigan Territory framed its proposed state constitution, it claimed the original line of the Ordinance of 1787 as her southern border. This threatened the northern boundaries of Illinois, Indiana, and Ohio, whose congressmen combined to defeat the plan. On December 2, 1834, Governor Noah Noble, in a message to the Indiana General Assembly, declared that if Michigan's claims were allowed, "Indiana would lose a district ten miles wide, extending entirely across the northern part of the state, including one of the fairest and most desirable portions of her territory, and be entirely excluded from any access to the lake, except through a foreign jurisdiction."² Upon Michigan's admission to the Union in 1837, her southern border claims were disallowed. In consolation she received the Northern Peninsula.³

DRAINAGE AND TOPOGRAPHY

The county is divided by a morainic belt about six miles wide, running northeast and southwest. The high crest of this ridge is the watershed. North of the morainic belt are Trail Creek and several small streams flowing into Lake Michigan. In New Durham Township are the headwaters of the Calumet River, which flows westward and eventually attains an outlet into Lake Michigan. The region south of the ridge drains through the Little Kankakee, Mill Creek and numerous

¹ George Pence and Nellie C. Armstrong, *Indiana Boundaries: Territory, State and County*, 554-62 (*Indiana Historical Collections*, vol. 19). Indiana State Planning Board, *Preliminary Survey of County Planning Problems in Indiana Counties* (typewritten, 1935-36), La Porte County section. *Year Book of the State of Indiana for the Year 1936* (1937), 882.

² *Journal of the Senate of the State of Indiana during the Nineteenth Session of the General Assembly . . .* (1834), 16.

³ A. M. Soule, "The Southern and Western Boundaries of Michigan," *Michigan Historical Collections*, vol. 27 (1897), 341-89. Mrs. F. J. Sheehan, *The Northern Boundary of Indiana* (*Indiana Historical Society Publications*, vol. 8, no. 6, 1928).

dredge ditches into the Kankakee River, which flows southwesterly along the southern border of La Porte County. Formerly, the Kankakee was a sluggish stream, with a penchant for overflowing its low banks and inundating the adjacent prairie. Dredging and straightening the Kankakee's channel, together with an elaborate system of dredge ditches, have converted the low-lying prairies into good farming lands.

The surface of the region, which lies in glaciated territory, varies from almost level in the south to gently undulating to rolling in the north. On the shores of Lake Michigan are many sand dunes—some reaching a height of 150 feet above lake level. South of the sand dune area is the morainic ridge consisting mostly of clay, with sand in the bases of the knolls. A sand prairie lies between the moraine and the Kankakee. The highest point in the county is at Belfast, two miles north of La Porte, with an elevation of 291 feet above Lake Michigan and 870 feet above sea level. The moraines in the eastern half of the county contain many small peat beds. A few large peat deposits occur in old lake basins, which have been drained, and there are extensive deposits of poor quality in the Kankakee Valley. As a peat county, however, La Porte ranks among the less important.⁴

In ancient times, says Montgomery, a great stream flowed southwesterly from the foot of the Saginaw glacier through Michigan and northern Indiana, past the present city of South Bend, thence through the bed of the Kankakee River to the Illinois. In modern times the low watershed intervening between the St. Joseph and the head of the Kankakee (rising near South Bend) has provided a short and easy portage for savages, fur traders, and explorers.⁵

EARLY INDIANA

Because of the portage, the Kankakee and St. Joseph Valleys were among the first regions in Indiana to be visited by white men. Father Marquette may have travelled by the portage in 1675, and we know that Robert Cavalier, Sieur de La Salle, did so in 1679. La Salle journeyed to Lake Peoria, where he built Fort Crevecoeur. In the spring of 1680 he proceeded overland from Lake Peoria to Fort Frontenac. His route, which is unknown, may have traversed La Porte County.⁶ Quite possibly earlier visits were made by the *coureurs de bois*, or bush rangers.

⁴ G. M. Levette, "Report of Observations Made in the Counties of De Kalb, La Grange, Elkhart, Noble, St. Joseph, and La Porte," *Indiana Geological Report*, 1873, pp. 461 ff. W. S. Blatchley and George H. Ashley, "The Lakes of Northern Indiana and their Associated Marl Deposits," *Indiana Geological Report*, 1900, pp. 283-292. Arthur E. Taylor, "The Peat Deposits of Northern Indiana," *Indiana Geological Report*, 1906, pp. 248-53. E. J. Quinn, "Soil Survey of La Porte County," *Indiana Geological Report*, 1911, pp. 286, 287. L. C. Ward, "Roads and Road Materials of the Northern Third of Indiana," *Indiana Geological Report*, 1905, pp. 180, 181. Indiana State Planning Board, *op. cit.*

⁵ Hugh T. Montgomery, "The Kankakee Valley, *Proceedings of the Indiana Academy of Science*, 1898, pp. 277-82. Same author, "The Glacial Phenomenon as Exhibited in Northern Indiana and Southern Michigan," *Northern Indiana Historical Society Publication No. 2* (1899; revised edition, 1929).

⁶ George A. Baker, "The St. Joseph-Kankakee Portage," *Northern Indiana Historical Society Publication No. 1* (1899). Louise P. Kellogg, article on La Salle in the *Dictionary of American Biography*, 11:10-12.

These were persons who went into the western forests to trade in furs and live among the savages. They were hated by the king of France, who desired to increase the population of Canada. The *coureurs*, says Parkman, "would set out, two or three together, to roam for hundreds of miles through the endless meshwork of interlocking lakes and rivers which seams the northern wilderness." It would be strange indeed if these entrepreneurs did not travel by a portage well known to their Indian friends.

First occupied by the red men, Indiana and the Ohio Valley became the battleground of two great colonial powers, each with savage allies. The French entered the region from New France and from Louisiana. The British fur traders, chiefly from Pennsylvania, pushed westward hundreds of miles beyond the settlers' frontier. France erected three important trading posts in Indiana: First, about 1715, "Post Miami" (Fort Wayne), at the head of the Maumee; second, about 1719 or 1720, a fort at Ouiatenon, on the Wabash, at the mouth of the Wea River, near Lafayette; and finally, before March 1733, a fort at Vincennes, on the lower Wabash.⁷ In the clash of empires (King George's War and the French and Indian War) France was defeated and forced, in 1763, to cede New France and all lands east of the Mississippi to Great Britain.

During the American Revolution, General George Rogers Clark conquered the western country in 1778 and 1779, and the Virginia legislature, in December 1778, created the "County of Illinois" for the government of Virginia citizens residing on "the western side of the Ohio." Actually, however, Virginia exerted no authority over northern Indiana for some time to come, the population being composed principally of savages, with perhaps an occasional roving white. After the Revolution, the Ohio Valley was claimed by several of the states, upon the basis of their colonial charters from British monarchs. These claims were finally ceded to the United States, and by the Ordinance of 1787, Congress created the Northwest Territory for the government of the western country.⁸ A few months after the establishment of the territorial government Knox County, comprising Indiana and parts of Ohio, Michigan, Wisconsin, and Illinois, was created (1790).⁹ White settlers swarmed into the west. Indiana became a territory in 1800 and a state in 1816.

INDIAN LAND TITLES

The lands of La Porte County belonged principally to the Miami Indians—one of the constituent tribes of the Miami Confederacy, which

⁷ Francis Parkman, *The Old Regime in Canada* (1874), 313.

⁸ P. G. Roy, *Sieur de Vincennes Identified* (Indiana Historical Society Publications, vol. 7, no. 1). O. J. Craig, *Ouiatenon* (Indiana Historical Society Publications, vol. 2, no. 8). P. C. Phillips, "Vincennes in its Relation to the French Colonial Policy," *Indiana Magazine of History*, December 1921.

⁹ C. E. Carter, editor, *The Territorial Papers of the United States*, 2:39-50. *Laws N. W. Terr., 1788-1800*, pp. 123-30. John G. Rauch and Nellie C. Armstrong, *A Bibliography of the Laws of Indiana, 1788-1927*, introduction.

¹⁰ William H. Smith, editor, *The St. Clair Papers*, 2:166n.

had been formed to defend the Ohio Valley against the murderous raids of the Iroquois. For many years the Miami lived in the St. Joseph Valley and adjacent areas but gradually moved southeastward. According to their custom, "permitted" tribes occupied Miami lands. In this wise the lands of La Porte County were occupied by the Potawatomi.

By the treaty of Greenville, August 3, 1795, delineating the boundary between the Indian tribes and the United States, most of Indiana was reserved to the savages for their hunting grounds. Almost at once, however, the United States Government began constricting the lines of the Indian country, a policy that culminated, insofar as La Porte County is concerned, in three treaties with the Potawatomi, dated October 16, 1826, and October 26 and 27, 1832. These agreements left in the hands of the Indians many individual reservations, which reservations were subsequently ceded to the United States in a series of agreements (1834-37) negotiated by Abel C. Pepper. The savages were reluctant to leave and some had to be removed by force, in 1838, to lands west of the Mississippi.¹¹ A spirited newspaper controversy sprang up (1838) in La Porte County between the *Michigan City Gazette and General Advertiser* and the *La Porte County Whig and Porter, Lake and Marshall Counties Advertiser* (La Porte), with the Michigan City paper denouncing the alleged brutal treatment accorded the Indians.

WHITE SETTLEMENT

Although the La Porte region was visited occasionally by white fur traders—French, British, and American—there was no permanent white settlement in La Porte County for more than a century after La Salle's day. Permanent settlement by the whites came during the American regime. There is controversy about the first settlers. Miss Edith J. Backus, secretary of the La Porte County Historical Society, affirms that the Benedict family was the first to arrive. Other early settlers were: William K. Eaheart, who built a cabin near Westville in 1828, to which he moved his family in April 1829; Robert Simmerwell; Joseph Bay; and Joseph Lykins. Asa M. Warren, blacksmith, settled in Hudson Township in 1829. In February 1830, George Thomas, Richard Harris, and Philip Fail, brothers-in-law, settled at the present city of La Porte.¹² Among the early population were a few French but the greater portion came from Pennsylvania, New York, and New England. Later on many Kentuckians settled in Indiana. During the Civil War, when a La Porte regiment paraded through Louisville, the editor of the *Louisville Daily Journal* remarked editorially: "The 29th Indiana may

¹¹ "Treaties between the U. S. and the Indian Tribes," *The Public Statutes at Large of the U. S. A.*, 7:49-54, 295-99, 394-97, 399-403, 498 ff. Charles J. Kappler, *Indian Affairs. Laws and Treaties*, 2:30-34, 268-70, 272-74, 339 ff. (printed as U. S. Senate Document No. 452, 57 Congress, 1 session). For an account of the removal by force of 1,000 Potawatomi by General Tipton and soldiers, see the *Logansport Telegraph* for September 15, 1838.

¹² Letter from Miss Edith J. Backus, dated May 3, 1939. Information from the Eaheart family, in the La Porte Historical Museum. E. D. Daniels, *A Twentieth Century History and Biographical Record of La Porte County, Indiana* (1904), 18 et seq.

almost be regarded as a Kentucky regiment, for a large majority of its members are either natives or descendants of native Kentuckians."¹³

The American Fur Company, founded by John Jacob Astor, and chartered by the New York legislature in April 1808,¹⁴ played a large part in the life of La Porte County for many years. As long as the Indians resided there, the fur trade was important and the company was a powerful influence in the political and economic life of both the county and the State of Indiana. It is significant that in the early sessions of the La Porte Circuit Court there were many prosecutions of La Porte citizens, for debts, by the American Fur Company.¹⁵

CREATION AND ORGANIZATION

La Porte County, named for a natural opening in the timber through which the La Porte prairie was approached (the term, "La Porte", being a French word meaning "door" or "gate"), was established by the Indiana General Assembly in an act approved January 9, 1832.¹⁶ Previously the county had been a part of Knox County, Northwest Territory (1790); divided between Knox and Wayne Counties, Northwest Territory (1796); given entirely to Knox County, Indiana Territory (1800); divided between Knox and Wayne Counties, Indiana Territory (1803); divided between Knox County, Indiana Territory and Wayne County, Michigan Territory (1805); and given entirely to Knox County in 1816, with the formation of the State of Indiana. Although La Porte remained, legally, a part of Knox County for some years thereafter, there was no county organization. Upon the formation of Sullivan County in 1817, Knox County became two disjointed areas. County organization persisted only in the southern area. In 1828 La Porte was placed under the concurrent civil and criminal jurisdiction of Tippecanoe and Carroll Counties. The eastern portion was attached to Cass County (1829) for governmental purposes. In 1830 the eastern portion became a part of St. Joseph County and the rest was placed under the civil and criminal jurisdiction of St. Joseph.¹⁷

The boundaries of the new County of La Porte were described in the law of January 9, 1832:

"Beginning at the state line, which divides the state of Indiana and Michigan territory, and at the north-west corner of township No. 38, north of range No. 4, west of the second principal meridian; thence, running east with said state line, to the centre of range No. 1, west of said meridian; thence south, twenty-two miles, thence west parallel with said state line, twenty-one miles, thence north to the place of beginning."¹⁸

Since 1832 the legal boundaries have been changed a great many times. In 1842 the legislature extended the southern border of La Porte

¹³ Quoted in the *La Porte Herald*, October 19, 1861.

¹⁴ *Private Laws of the State of New York*, 1808, pp. 160-68.

¹⁵ Minute Record, A: *passim*.

¹⁶ Acts 1831-32, ch. 2, secs. 1, 2.

¹⁷ Pence and Armstrong, *op. cit.*, *passim*.

¹⁸ Acts 1831-32, ch. 2, sec. 1.

County to the Kankakee River, taking in permanently a part of Starke, which county had been created but not organized.¹⁹ At times the citizens of this region have sought to return to Starke County, alleging that La Porte County had left their affairs in the hands of the Tuesberg Land Company.²⁰ The present limits of La Porte County were laid down in a law approved March 9, 1931:

"Beginning at a point on Lake Michigan where the state line between the state of Michigan and Indiana strikes the same, thence east with the said state line to the center of range one (1) west of the second principal meridian, thence south with said line to the northwest corner of section twenty-two (22) in township thirty-seven (37) north, of range one (1) west, thence east along the north line of sections twenty-two (22) and twenty-three (23), township thirty-seven (37) north, range one (1) west to the northeast corner of section twenty-three (23) township thirty-seven (37) north, range one (1) west, thence south and along the east lines of sections twenty-three (23), twenty-six (26) and thirty-five (35), township thirty-seven (37) north, range one (1) west, and sections two (2), eleven (11) and fourteen (14), township thirty-six (36) north, range one (1) west, to the center of the Dixon W. Place ditch, thence down the center of the said Dixon W. Place ditch to a point where a line protracted due north from the center of the channel of the beginning of the east branch of the Horace Miller ditch would intersect with the center of the channel of the said Dixon W. Place ditch, thence down the center of said Horace Miller ditch to the intersection with the center line of Mud Lake Channel of the Dixon W. Place ditch, thence on the center line of said Mud Lake Channel of the Dixon W. Place ditch to the center line of range one (1) west, thence south along said center line of range one (1) west to the south line of township thirty-five (35) north, thence west to the center of the Dixon W. Place ditch, thence down the middle of said ditch to the line dividing ranges four (4) and five (5) west, thence north along the said line to Lake Michigan, thence with the same northeasterly to the place of beginning: *Provided*, That the northern boundary shall extend to, and be the same as the northern line of the State of Indiana."²¹

The law establishing La Porte County became effective April 1, 1832. On January 19, the governor of Indiana commissioned George Thomas sheriff and ordered that a writ be issued "for the Election of county officers, on the 2d Monday of March next." Thomas declined to serve and the governor, on March 12, appointed Benjamin McCarty sheriff and an alias writ of election was issued "for the 2d Monday of April next."²² On April 9, George Thomas was elected recorder and clerk of the circuit court. For membership in the board of commissioners, Elijah H. Brown and Isaac Morgan were clearly elected, with Chapel W. Brown and Aaron Stanton receiving a tie vote; lots were drawn and Chapel W. Brown won. Jacob Miller and Judah Leaming became associate judges

¹⁹ Acts 1841-42 (general), ch. 147, sec. 1, 2.

²⁰ Daniels, *op. cit.*, 38-39.

²¹ Acts 1931, ch. 115, sec. 1.

²² Executive Proceedings, 1823-36, p. 297. Commissioners' Record, A:9.

of the circuit court; in the balloting Leaming and Daniel Jessup tied, but Leaming won when lots were drawn.²³ Subsequently, on September 6, the governor of Indiana commissioned Benjamin McCarty probate judge, Adam G. Polke sheriff, and John Ganard coroner.²⁴ An early state law provided that officials take oath that they "have neither directly nor indirectly gave, accepted or knowingly carried a challenge to any person or persons to fight in single combat, or otherwise with any deadly weapon, either in or out of this state . . ."²⁵ The law arose from a determination upon the part of citizens to stamp out dueling in Indiana. The same movement was on foot in other states. The Commissioners' Record of La Porte County makes no mention of this oath being taken by La Porte officials. They may have felt that the section of the early law requiring the oath had been repealed by implication in the 1831 code of laws.²⁶

The three members of the board of commissioners met for the first time on May 28, 1832, in the home of George Thomas, at La Porte.²⁷ Thomas' house was used for the transaction of public business during the early months of the county's existence. In the minutes of the board appear several allowances of money to Thomas for "house rent."²⁸

THE COUNTY SEAT

The state commissioners, chosen by the Indiana legislature to select a seat of justice for La Porte County, met in La Porte in September 1832. After deliberating for three weeks,²⁹ the commissioners chose the village of La Porte. Since then, Michigan City has unsuccessfully sought, upon several occasions, to deprive La Porte of the seat of justice.³⁰ In connection with the choosing of La Porte, E. D. Daniels, author of *A Twentieth Century History and Biographical Record of La Porte County, Indiana* (1904) asks if La Porte is legally the county seat. The law creating La Porte County directed the state commissioners to meet in La Porte in May 1832.³¹ Since they did not meet until September, their deliberations and decision, Daniels opines, may have been illegal.³² While the question has never been litigated, there is a decision of the Indiana Supreme Court which would seem to have a bearing upon the subject. The court has said that:

"Where a statute specifies the time within which a public officer is to perform an official act, it will be considered directory merely, unless

²³ Jasper Packard, *History of La Porte County, Indiana, and Its Townships, Towns and Cities* (1876), 272, 273.

²⁴ Executive Proceedings, 1823-36, p. 297.

²⁵ Acts 1816-17, ch. 39.

²⁶ Revised Laws 1831, ch. 20.

²⁷ Commissioners' Record, A:1.

²⁸ *Ibid.*, A:16, 27.

²⁹ In October the board allowed Isaac Coleman \$75 "for twenty-five days service at three dollars per day as Locating Commissioner to Locate the County Seat" (*Ibid.*, A:10).

³⁰ Ernest V. Shockley, "County Seats and County Seat Wars in Indiana," *Indiana Magazine of History*, March 1914.

³¹ Acts 1831-32, ch. 2, sec. 3.

³² Daniels, *op. cit.*, 42.

the nature of the act to be performed, or the language used by the legislature, shows that the designation of time was intended as a limitation of the power of the officer."³³

TOWNSHIPS

At their first meeting, on May 28, 1832, the board of commissioners divided the county into three townships: Kankakee, Scipio, and New Durham.³⁴ Subsequently the names and number of townships were frequently changed. With the expansion of La Porte County, new townships were created until the present total of twenty-one was reached: Cass, Center, Clinton, Coolspring, Dewey, Galena, Hanna, Hudson, Johnson, Kankakee, Lincoln, Michigan, New Durham, Noble, Pleasant, Prairie, Scipio, Springfield, Union, Washington, and Wills. La Porte has more townships than any county in Indiana.³⁵

TAXATION

In their July session, 1832, the commissioners ordered "that all springed carriages are deemed by this board as pleasure carriages & Taxable under the law regulating and collecting revenue." A schedule of taxes was entered in the minutes of the board:

"Ordered that the rates of taxation be fixed for horses thirty seven & ½ cents pr. head; for work cattle eighteen ¾ cents pr. head; for pool Tax Fifty cents; for Gold Watches fifty cents; silver & composition Watches twenty five cents; for pleasure carriages fifty cents Brass clocks fifty cents; covering Horses & Jacks at the rate they stand them."³⁶

A state law of 1824 made collectors of revenue responsible for the entire amount of taxes levied, even though the collector was unable to obtain the funds from those assessed.³⁷ In some counties, because of this law, no one wished to serve as collector of revenue. In others, the county commissioners eased the burden by allowing credits for delinquencies. In La Porte County, no difficulty was experienced in persuading citizens to serve as collector—probably because the general assembly had lowered the barrier.³⁸

FERRY RATES

In November 1833 the commissioners licensed Mathias Redding to operate a ferry over the Kankakee River, on the road from Michigan City into what is now Marshall County. Redding was required to "furnish a good boat at least thirty five Feet long and Eight feet wide to be attended with one good hand." The rates of ferriage, in accordance with the statutes, were:

³³ Gallup, *Executor v. Schmidt*, Treasurer, 154 Indiana 204.

³⁴ Commissioners' Record, A:1, 2.

³⁵ *Year Book of the State of Indiana for the Year 1936* (1937), 882.

³⁶ Commissioners' Record, A:5.

³⁷ Revised Laws 1824, ch. 86.

³⁸ Acts 1827-28, ch. 64, sec. 3.

"On Wagon and two Horses or oxen Thirty seven $\frac{1}{2}$ cents; for each additional horse or ox Six and one fourth Cents; for Man and horse Twelve $\frac{1}{2}$ Cents; for a Footman Six and $\frac{1}{4}$ Cents; horse or cattle loose or in the order of a drove three Cents; hogs or Sheep one cent each; all Carriages drawn by one horse Twenty five Cents; and other things in proportion."³⁹

TAVERNS

A series of statutes enacted by the general assembly in 1818 and following years laid down the conditions under which taverns might operate in Indiana. No credit greater than \$5 was to be extended for liquor—"except to travellers." Tavern keepers were forbidden to sell or barter liquor on Sunday—"except to travellers"—under pain of a \$3 fine. County commissioners were ordered to license taverns and to fix tavern rates yearly. However, the provision relative to tavern prices ceased to be mandatory before the creation of La Porte County and the commissioners contented themselves with issuing licenses.⁴⁰

EARLY COURT SESSIONS

There is a controversy as to the first session of the La Porte Circuit Court. Volume A of the Minute Record, Volume A of the Complete Record and Volume A of the Judgment Docket all begin with the court term of June 1833. In July 1832, however, the board of commissioners anticipated a court session, for they selected a panel of grand jurors.⁴¹ On November 5, 1832, the board allowed Joseph Pagan "the sum of one dollar for his trouble furnishing a room for the circuit Court at the last term thereof." The board further "Ordered that each Juror summoned who attended the term of Circuit Court held on the first day in November Instant be allowed the sum of Seventy five cents . . ."⁴² In January 1833 the board allowed Judah Leaming, \$2 "for one days service as Associate Judge at the November term 1832."⁴³ Finally, the field workers of the Historical Records Survey of Indiana have unearthed, in the courthouse at La Porte, a nameless, unnumbered volume (with unnumbered pages) containing the proceedings of the court session of Thursday, November 1, 1832, presided over by John R. Porter, president judge, and Judah Leaming, associate judge.⁴⁴ At this session of court, C. K. Green, J. B. Brown, William M. Imness, Andrew Ingram, and Elisha Egbert were admitted to the bar. Two indictments were returned by the grand jury and a divorce petition was ordered to be published in the *St. Joseph County Beacon*.

³⁹ Commissioners' Record, A:69.

⁴⁰ Acts 1817-18 (general), chs. 5, 47, and 57. Acts 1819-20, ch. 51. Acts 1820-21, ch. 36. Acts 1822-23, ch. 11. Acts 1824-25 (general), ch. 71, sec. 4. Commissioners' Record, A:59, 87.

⁴¹ Commissioners' Record, A:4, 5.

⁴² *Ibid.*, A:12, 13.

⁴³ *Ibid.*, A:14.

⁴⁴ See entry 101.

In the October 1834 term the court began a two-edged assault upon gambling in La Porte County. One William Sutton was indicted "for Winning Money" and John S. Moore indicted "for losing Money."⁴⁵

COUNTY ORDERS

The new county was poor at first, and, like other Indiana counties, issued county orders to pay for operating expenses. The orders circulated as currency (often discounted), and many peculiar transactions occurred. In some counties officials would purchase orders at a discount, then take official action to redeem them at face value. In order to prevent such practices the legislature, by a law enacted in 1831, compelled all persons doing county business to take oath that they would not, "either directly or indirectly, purchase or receive in payment, exchange, or in any way whatever, any demand against his county, or any county order for a claim allowed by the board doing county business, at any time during the period for which he may be elected, for a less amount than that expressed on the face of such order or demand against the county . . ."⁴⁶ We do not know whether the officials of La Porte County were guilty of speculating in county orders, but in accordance with the statute they were compelled to take the oath provided therein.⁴⁷

COUNTY INSTITUTIONS

There was no county almshouse during the early years of La Porte County. Paupers were "farmed out" in the homes of citizens, who were paid by the county. A typical case appears in the minutes of the board of commissioners for September 1835: "Ordered that Samuel Cox be allowed thirteen dollars and fifty cents for taking care of Pauper in Scipio Township."⁴⁸ That minor paupers were apprenticed is indicated by an item in the minutes for September 1838: "Ordered that Samuel Turner be allowed the sum of fifty dollars, the amount which the overseer of the Poor for Pleasant township Stipulated to give him, on taking as an intended apprentice Mary Jane Watters a Poor child being at that time a county charge."⁴⁹

The system of "farming out" came to be expensive and the county found it expedient to purchase land for use as a poor farm. The superintendency of the farm was let under contract. In the minutes of the commissioners for March 1847 we find such a contract:

"It is ordered by the Board that John Cross be and he is hereby appointed Superintendent of the Asylum for the poor of La Porte County for the term of two years from the 19th day of March instant upon the following terms and restrictions to wit—

"The said Cross is to have possession of the premises including the farm and appurtenances during said term of time and all the profits and use thereof and to keep the same in proper repair for his own con-

⁴⁵ Minute Record, A:58-59.

⁴⁶ Revised Laws 1831, ch. 20, sec. 19.

⁴⁷ Commissioners' Record, A:1.

⁴⁸ *Ibid.*, A:232.

⁴⁹ *Ibid.*, B:1.

venience & the comfort of the paupers under his charge. He is to make at the least five hundred rails annually for the use of said farm. He is not to Cut nor suffer to be done any Standing timber except what may be necessary for the making of repairs of the fences on the premises. He is also to clear the brushes from the corners of the fences.

"He is to provide good and suitable food for the paupers under his Charge and to nurse them in sickness and make all necessary clothing for them and mending & Washing. The expenses of the materials for clothing, medical bills and funeral expenses to be borne by the County. For and in consideration of the use of said farm & premises the said Cross further agrees to board one pauper for the whole time free of expense to the County. For said services the said Commissioners are to allow the said Cross quarterly, the sum of One dollar and fifty cents per week for each pauper (except the one above named to be kept free of charge) while under his care and the said Cross is to have the benefit of such labor as any of said paupers may be able to perform."⁵⁰

Occasionally the board of commissioners would make visits of inspection to the poor farm. At their session of October 1851, for example, the minutes record: "Ordered by the Board that Jno. Thompson Jr. be allowed the Sum of One dollar for the use of team to convey Commissioners to the Poor house per bill filed."⁵¹

An early state law provided that certain fines, penalties, and forfeitures should accumulate in each county to found and maintain a county seminary.⁵² Subsequently a law provided that when the seminary fund in a county should reach the amount of \$400 the trustees of the fund might procure a site and erect a seminary building.⁵³ For more than forty years the Indiana legislature sought to promote education through county seminaries. The results at all times were far from the goal of the legislature. There were many reasons for the failure of the county seminaries. The moneys went into the general funds and trustees of the seminary fund often had no record of what moneys belonged to them. Such information could be obtained from the court records but this task was beyond the capacities of the trustees.⁵⁴ Evidently this does not wholly explain the matter, for on December 2, 1834, Governor Noah Noble declared, in a message to the general assembly:

"It is highly important that some method should be adopted of enforcing a more rigid accountability in the management of the county Seminary funds. In some instances, they are entirely squandered and lost. It is believed that at present, they are more generally paid over than formerly to the trustees, but there still seems to be some strange fatality attending them."⁵⁵

There was another serious obstacle: an early state law authorized the trustees of seminary funds to loan the moneys in their charge at the

⁵⁰ *Ibid.*, C:82.

⁵¹ *Ibid.*, D:21.

⁵² Acts 1822-23, ch. 63. W. J. Wakefield, "County Seminaries in Indiana," *Indiana Magazine of History*, June 1915.

⁵³ Revised Laws 1831, ch. 90, secs. 17-20. Revised Statutes 1838, ch. 98.

⁵⁴ Wakefield, *loc. cit.*

⁵⁵ *Indiana Senate Journal*, 1834-35, p. 18.

rate of six percent.⁵⁶ This was the situation in La Porte County. In January 1839 the trustee of the fund reported to the board that \$779.44 of seminary money had been loaned.⁵⁷ Officials found the seminary fund a convenient source from which to obtain loans. On June 12, 1849, for example, the commissioners entered in their minutes the following item:

"It is ordered by the board that E. Morrison County Agent be and he is hereby authorized to borrow the County Seminary Funds now in the Treasury on behalf of this County or so much thereof as may be required for immediate use for public Buildings."⁵⁸

A law of February 9, 1843 authorized the voters of La Porte County to decide, in the general election of August 1843, whether the seminary funds and property and funds belonging to La Porte University "shall be united and constitute one fund, for the erection of a suitable building for the seminary and university at the county seat."⁵⁹ The election returns fail to show any vote upon the question.⁶⁰ Evidently the board of commissioners took no action to place it upon the ballot. County officials were steadfast in retaining the seminary fund for purposes of loans and as a result the county never had a county seminary in operation. In the end a law directed the sale of all county seminary property in Indiana and the transfer of county seminary moneys to the common school fund.⁶¹

In the law creating La Porte County, the legislature provided that ten percent of the proceeds from the sale of county seat town lots be reserved for the maintenance of a county library.⁶² There was a library established in La Porte during the first year, which received voluntary contributions of money for its book fund from the inhabitants of La Porte.⁶³ No one has ever suggested that this library was the official county library provided for by law, but it may have been. Historians of La Porte County have found little information concerning the county library and some authorities doubt its existence. We know, however, that there were trustees, for the board of commissioners, in November 1835, "Ordered . . . that Abraham P. Andrews and William Allen be appointed trustees of the County Library to fill the vacancy occasioned by removal of Hiram Todd and Alfred Harrison."⁶⁴ In June 1846 the commissioners directed "that Thomas D. Lemon or his assigns be allowed the sum of Ninety One Dollars and ninety two Cents, being the Amount of Judgment yet unpaid and interest against the President and trustees of the La Porte Co. Library."⁶⁵ During the same term we find in the minutes that it was:

⁵⁶ Acts 1818-19, ch. 9.

⁵⁷ Commissioners' Record, B:36.

⁵⁸ *Ibid.*, C:326.

⁵⁹ Acts 1842-43 (local), ch. 182.

⁶⁰ Manuscript Election Returns, August 1843.

⁶¹ Revised Statutes 1852, ch. 97.

⁶² Acts 1831-32, ch. 2, sec. 5.

⁶³ Ella Lonn, "The History of an Unusual Library," *Indiana Magazine of History*, September 1923.

⁶⁴ Commissioners' Record, A:240.

⁶⁵ *Ibid.*, C:7.

"Ordered by the Board that the sum of One Hundred dollars be & and same is hereby appropriated for the purchase of books for the La Porte County Library provided however that a like amount shall be raised by voluntary subscription from the people of the County. And when said one hundred dollars raised by voluntary subscription as aforesaid shall be paid into the hands of the County Treasurer, It shall be the duty of the County Auditor to draw upon the Treasurer for the sum hereby appropriated which said sum of two hundred dollars shall be expended under the direction of the said Auditor & Treasurer in the purchase of Books & payments of expenses attendant thereon for said library."⁶⁶

The La Porte County Library probably ceased to exist (as a county library) when township libraries, stocked with books by the state, were established in the 1850's. No book plates of the county library have been found.

The La Porte Agricultural Society formed in 1841 for the promotion of agriculture, held, at La Porte, an annual fair. Of the fair the *La Porte County Whig* declared in 1847: "... friendly feelings as well as potatoes will be cultivated and increased by these annual meetings and exhibitions."⁶⁷ The Society received the official support of the county commissioners. In September 1846, for example, it was "Ordered by the Board that the La Porte Agricultural Society be allowed the sum of thirty five Dollars to be drawn by the Treasurer thereof."⁶⁸

The first newspaper printed in La Porte County was the *Michigan City Gazette and General Advertiser*. Its publisher, J. S. Castle, of Utica, New York, purchased stock for a printing office and shipped it via the Erie Canal to Buffalo, thence by lake steamer to Michigan City, where it arrived in June 1835. The first issue of the *Gazette* appeared on July 8 of that year. The paper was first Democratic, then Whig. There were several other ephemeral papers in the county, such as the *Western Citizen* (Michigan City) and the *La Porte Union*. On November 5, 1836 the *La Porte Herald* appeared. It was, the editor asserted, a non-partisan paper. The *La Porte County Whig and Porter, Lake and Marshall Counties Advertiser*, a Whig paper, began publication on June 23, 1838 at the county seat. For some years it was locally important.⁶⁹

EARLY MILITARY ACTIVITIES

When the Black Hawk War began, in 1832, citizens of La Porte County were apprehensive, for the Sac Trail—a well-defined Indian trail passing through the county—was used by the Sac Indians. La Porte people feared that the savages, if defeated, would attempt to retreat into Canada by way of the Sac Trail. Some citizens fled to

⁶⁶ *Ibid.*, C:19.

⁶⁷ *La Porte County Whig*, October 2, 1847. A description of the 1842 fair appears in H. A. Kellar, editor, *Solon Robinson, Pioneer and Agriculturist, Selected Writings*, 1:333, 334 (*Indiana Historical Collections*, vol. 21).

⁶⁸ Commissioners' Record, C:44.

⁶⁹ Daniels, *op. cit.*, 244 *et seq.* For present papers see N. W. Ayer and Son's *Directory of Newspapers and Periodicals* . . . pp. 255-82.

Cincinnati and did not return for months. More study inhabitants remained in the county and erected a fort about one-half mile east of Door Village. The fort, which took three days to build, consisted of a ditch, earthworks and a palisade, 125 feet square. Upon two of the angles were blockhouses, which commanded the sides. General Joseph Orr, brigadier general of Indiana militia, who had settled in Scipio Township in 1831, wrote to the governor of Indiana telling him of the fort.

On June 26, 1832 Governor Noah Noble ordered Orr to raise a company of volunteer, mounted rangers, "to be employed along the western line of our frontier, for the term of three months—keeping up an intercourse between our Wabash settlements and Chicago, by selecting suitable stations near the immediate settlements, and keeping out parties of observation with daily communication."⁷⁰ Orr's company, which was stationed near Chicago, under the command of General Winfield Scott, never made contact with the enemy. After the savages fled, the company was disbanded.

During the Mexican War, La Porte County raised a company of volunteers (May 1847), which was commanded by Captain W. W. McCoy. The company took part in the principal battles of the war and returned to La Porte with decimated ranks in the summer of 1848.⁷¹

Before the outbreak of the Civil War, feeling ran high in La Porte County. Public meetings were held and subscriptions taken for the aid of soldiers' families. Recruiting began in La Porte before President Lincoln issued the call for 75,000 volunteers.⁷² At their September session, 1861, the board of commissioners appropriated \$2,000 and appointed General Joseph Orr agent for its disbursement: "to aid in the temporary protection and maintenance of the families of volunteers in the army of the United States and of the State of Indiana by making such allowances of money from time to time to the families of such volunteers as may be deemed necessary for their maintenance, until the volunteers shall receive pay from the Government for their services and for such longer period as the County may deem necessary and proper."⁷³

On December 2, 1861 Orr reported to the board that he had completed his task and that he had disbursed various sums totalling over \$1,200.⁷⁴

EDUCATION

During the early years of La Porte County there were many ephemeral seminaries and academies there. An active educator there was F. P. Cummins, who served, in succession, as principal of several schools. In 1844 he headed the Lancasterian Academy.⁷⁵ In the same year the Lancasterian Academy became the Literary Department of La Porte University. The morals of the students, Cummins announced, would "be

⁷⁰ Packard, *op. cit.*, 54 *et seq.*

⁷¹ *La Porte County Whig*, August 5, 1848.

⁷² Packard, *op. cit.*, 299 *et seq.*

⁷³ Commissioners' Record, E:226, 227.

⁷⁴ For Orr's report, see *Ibid.*, E:253, 254. The report is printed in full in the *La Porte Herald* for December 14, 1861.

⁷⁵ Advertisement in the *La Porte County Whig*, June 5, 1844.

guarded with the strictest care. . . ."⁷⁶ In 1848 Cummins was principal of the La Porte Collegiate Institute and the La Porte Female Seminary.⁷⁷ The La Porte Female Institute was another short lived school. In 1847 its advertisement stated that "The Government will be kind, yet decided. Affection and principle will be made the ruling motives, instead of fear and compulsory obedience."⁷⁸

La Porte University was chartered by the Indiana legislature by an act of January 20, 1842.⁷⁹ Its medical department, which was the first medical school in the State of Indiana,⁸⁰ became the Indiana Medical College on January 19, 1846,⁸¹ and merged with the Indiana Central Medical College in 1851.

Among modern educators of La Porte County Dr. William Nicholas Hailmann, and wife, and Dr. Edward A. Rumely, are noteworthy. Hailmann was a native of Switzerland who emigrated to the United States. He became superintendent of schools in La Porte in 1883. Both Hailmann and his wife were students of Froebel, the celebrated German educator. They were pioneers in kindergarten education and established in La Porte one of the first kindergartens in the United States.⁸²

Dr. Rumely was a native of La Porte and a member of the Rumely family of manufacturers, who have played such an important part in the modern industrial life of La Porte County. He was educated at the universities of Oxford, Heidelberg and Freiberg. In Europe he became interested in schools of the rural educational type and decided to establish one in the United States. He did so in 1907, in the buildings of the Interlaken Sanitarium at La Porte. In 1911 Rumely purchased 1,000 acres near Rolling Prairie and the school moved there. It had a capacity of 150 boys—from 7 to 18 years old. The school was discontinued during the World War.⁸³

TRANSPORTATION, INDUSTRY, AND AGRICULTURE

An important factor in the early development of La Porte County was the Michigan Road, running from Lake Michigan to the Ohio River. The road was surveyed and marked from the lake to Indianapolis in 1830. Farmers who had been handicapped in transporting their grain to the mills, were now enabled to carry their crops great distances over the new road. Huge caravans, with two or three yokes of oxen to a wagon, were frequent; sometimes 30 or 40 wagons would be seen on the Michigan Road. The road had a great influence upon road building.

⁷⁶ *Ibid.*, August 21, 1847.

⁷⁷ *Ibid.*, October 14, 1848.

⁷⁸ *La Porte County Whig*, November 20, 1847.

⁷⁹ Acts 1841-42 (local), ch. 72.

⁸⁰ *Transactions of the Indiana State Medical Society*, 1874, pp. 24-26. *Surgery, Gynecology and Obstetrics*, November 1932.

⁸¹ Acts 1845-46 (local), ch. 366.

⁸² Barbara Greenwood, in *Pioneers of the Kindergarten in America* (1924), 257.

⁸³ Article by Florence Rumely Hulten-Schmidt, in Edith J. Backus, editor, *La Porte, Indiana. History of First Hundred Years* (typewritten; copies are available in the La Porte Public Library and the Indiana State Library).

Improved methods were discovered. One of these was the plank road, which was imported from Canada in 1836.⁸⁴ Directions for building plank roads circulated widely in local newspapers, and roads were laid to adjacent counties. Turnouts were built, so that lightly loaded vehicles could leave the main track for heavily laden wagons proceeding townwards. The *La Porte County Whig* declared that plank roads were "the Farmers' Railroads" and estimated the cost to be \$2,000 per mile, not counting "extra excavations and embankments and gate-houses."⁸⁵ Subsequently, the editor said he would "not be surprised, in a few years, to see all the thoroughfares of any importance in our country, completely bridged from one to the other."⁸⁶

The Indiana legislature enacted laws laying down procedure for the formation of plank road companies,⁸⁷ and special privileges were extended to the companies. For example, the Union Plank Road Company, of La Porte, was authorized to take stock in the Plymouth Plank Road Company and in the Valparaiso Plank Road Company and to borrow money.⁸⁸ The Union Plank Road Company, with the permission of the La Porte Board of Commissioners,⁸⁹ built a plank road from La Porte to Michigan City. The plank road was extremely useful for the transportation of grain to Michigan City from the outlying portions of the county. Even beasts of burden took cognizance of the advantages of the plank road, said a newspaper editor, who quoted an old farmer as saying: ". . . it is a fact that when the wagon got to the end of the planks and struck on the heavy dirt road, *every horse stopped and looked around!*"⁹⁰

From Michigan City the grain would be sent by steamboat on its way to world markets. Lake navigation was an important factor in the development of the county. Newspapers of La Porte County devoted a great deal of space to navigation and chronicled its latest events. In July 1845, for example, the *Indiana Tocsin* (La Porte) announced that the harbor at Michigan City "is now free of obstacles" and that lake steamers "come up inside the pier to the lower Warehouse." The editor mentioned the benefits that accrued therefrom to the farmers of La Porte County.⁹¹

The building of plank roads and the improvement of other roads made possible many stagecoach routes. From La Porte the Western Stage Company operated four-horse stagecoaches to Indianapolis. It was a two-day trip, with an over-night layover at Logansport. The coaches left La Porte each Monday, Wednesday, and Friday.⁹² Travellers

⁸⁴ W. M. Gillespie, *A Manual of the Principles and Practices of Road Making* (1855), 20. *La Porte County Whig*, December 1, 8, 1849.

⁸⁵ *La Porte County Whig*, January 13, 1849.

⁸⁶ *Ibid.*, March 16, 1850.

⁸⁷ Acts 1846-47, ch. 1. Acts 1847-48, ch. 1. Acts 1848-49, ch. 1.

⁸⁸ *La Porte County Whig*, January 12, 1850.

⁸⁹ *Ibid.*, January 20, 1849.

⁹⁰ *Ibid.*, April 6, 1850.

⁹¹ *Indiana Tocsin* (La Porte), July 18, 1845.

⁹² Advertisement in the *La Porte County Whig* for October 23, 1850, and subsequent issues.

by stagecoach and horseback stayed in homes along the way or at hotels which catered to both men and beasts. Griffin Treadway, proprietor of the Tremont House, in La Porte, advertised that his establishment was

"not to be surpassed by any other Public House in Northern Indiana, is now prepared to accommodate Boarders and Travellers with superior accommodations. His table is furnished with the choicest viands of the surrounding country; his rooms are commodious and well-warmed; his beds are kept neat and in good order, and nothing is left undone which ministers to the comfort and happiness of his guests. . .

"His stable is attended by a careful and accommodating Ostler, and the travelling public may rest assured that their horses will receive every kind attention, and be furnished with Oats, Corn, Hay, &c."⁹³

Plank roads were found to be expensive and after a period of ten or fifteen years were largely abandoned. On August 3, 1863, the stockholders of the Union Plank Road Company met in Michigan City and voted to abandon as much of the plank road between Michigan City and La Porte as had not been previously abandoned.⁹⁴

The building of railroads caused people to feel that expensive long distance highways were unnecessary. As early as 1852 the Michigan Southern & Northern Indiana (now part of the New York Central) entered La Porte County from the east and was soon extended to Chicago.⁹⁵ Today the county is traversed by the South Shore electric line and by 10 steam railroads: Michigan Central, Nickel Plate, Grand Trunk, New York Central, Baltimore and Ohio, Pennsylvania, Chesapeake and Ohio, Wabash, Monon, and the Pere Marquette. The railroads have largely displaced the lake steamer, although lake navigation is still used.

The invention of the automobile has had a profound effect upon the building of roads. People came to feel that long distance highways were necessary, in addition to the facilities offered by the railroads, and in the 1920's and 1930's the concrete highway became commonplace. Today La Porte County has many concrete roads. There are a number of bus routes and trucking services.

During the early years there were many small small industries in the county, including, among others, sawmills, hat manufacturing, saddlery, and distilleries. The census of 1840 lists for La Porte one brewery and four distilleries. The latter employed 15 men and involved a capital investment of \$8,500.⁹⁶ These local industries participated in the general economy of the community. For example, in 1844, John L. Frye, La Porte hat manufacturer, advertised that he desired "to purchase all the Coon Skins that may be taken off of such varmints in Northern Indiana; Also, Beaver, Otter, Muskrat, Mink, and Rabbit Skins, and Lamb's Wool. . ."⁹⁷

⁹³ *Ibid.*, September 25, 1844.

⁹⁴ *La Porte Herald*, August 8, 1863.

⁹⁵ Packard, *op. cit.*, 115.

⁹⁶ *Compendium of the Enumeration of the Inhabitants and Statistics of the United States, as obtained . . . from the Returns of the Sixth Census: 1840*, p. 294.

⁹⁷ *La Porte County Whig*, October 23, 1844.

It was the custom then to employ apprentices. After a few years the apprentices, having learned the trade to which they had been bound, were free to leave. Occasionally they departed without ceremony before their apprenticeship was completed. In 1838, for example, we find Jacob Hupp, Sr., offering:

"6 Cents Reward.—Ran away. . . on Sunday evening last, Jacob Fry an indented apprentice to the Saddlery Business. Said Fry is about 19 years old, and had on when he left a janes coat and black fur hat. All persons are forbid harboring or trusting him on my account, as I am determined to prosecute such to the extent of the law."⁹⁸

A curious but not very extensive early industry in the county was the production of silk. By a law of February 11, 1843 the Indiana legislature authorized county boards of commissioners to pay a bounty of 15 cents per pound of cocoons or 25 cents per pound of reeled silk. The cocoons had to be produced in the county where the bounty was collected and the silk had to be reeled in the said county from cocoons produced in the State of Indiana. The facts were to be attested by a justice of the peace.⁹⁹ Two years later the La Porte Board of Commissioners entered in their minutes: "Ordered . . . that Potter Doolittle be allowed the sum of two dollars and thirty-six cents . . . on fifteen and three fourth pounds dry silk Cocoons raised by him as by his affidavit, certified by William Moorman, J. P."¹⁰⁰ Solon Robinson speaks of being shown, while visiting in La Porte, silk produced in the county.¹⁰¹

In La Porte County quantities of low grade iron ore are found.¹⁰² This "bog ore" attracted the attention of C. W. Pomeroy and on August 21, 1847 the *La Porte County Whig* announced that a blast furnace would be erected in La Porte.¹⁰³ The furnace began to operate on July 4, 1848.¹⁰⁴ Pomeroy lacked capital and found it necessary to incorporate the La Porte Iron Manufacturing Company on January 15, 1849, with a capital stock of \$100,000.¹⁰⁵ The editor of the *La Porte County Whig*, in the issue of March 17, 1849, urged the purchase of stock in the new company, pointing out the abundance of ore and the cheapness of coal. However, the business lasted only a few years; the railroads soon made better ore more cheaply accessible."

Meinrad Rumely and John Rumely came to the United States from Germany in 1848 and 1849 respectively. They had worked in the leading iron and steel mills of Germany and continued such employment at Massillon, Ohio. In 1853 they opened a shop in La Porte. Two years later the editor of the *La Porte Union* in the issue of May 30, 1855, said that "Their principal business, at present, is casting irons for the

⁹⁸ *La Porte County Whig, and Porter, Lake and Marshall Counties Advertiser*, September 15, 1838.

⁹⁹ Acts 1842-43 (general), ch. 14.

¹⁰⁰ Commissioners' Record, B:543.

¹⁰¹ Kellar, *op. cit.*, 1:322.

¹⁰² Charles W. Shannon, "The Iron Ore Deposits of Indiana," *Indiana Geological Report*, 1906, pp. 350 *et seq.*

¹⁰³ See also the issue of the *La Porte County Whig* for February 19, 1848.

¹⁰⁴ *Ibid.*, July 8, 1848.

¹⁰⁵ Acts 1848-49 (local), ch. 206, sec. 1.

Railroad shop, plows, mill gearing, and in fact almost everything needed in our county, which is made of cast iron." The Rumely Company branched out into the manufacture of farm machinery, in which it became world famous. In 1915 the firm name was changed to the Advance-Rumely Company and on June 1, 1931 it became the La Porte Works of the Allis-Chalmers Manufacturing Company.¹⁰⁶

Other manufactories of La Porte include: Pianos, mouldings, children's and women's clothing, bronze door-holding devices, steel conveyor belts and steel mats, metal polish, ventilating systems, prepared foliage and wreaths, processed paintings, and many others.

The presence in the county of two industrial cities—La Porte and Michigan City—has had an effect upon local agriculture. Of necessity, truck farming has taken over many broad acres of the county and brought about the use of sandy and marsh lands. Six hundred farmers sell whole milk.¹⁰⁷

POPULATION

In 1840 La Porte County had a population of 8,184. This figure increased progressively as follows: 1890, 34,445; 1920, 50,443; 1930, 60,490.¹⁰⁸ The sharp rise in recent decades is due to the rapid growth of La Porte and Michigan City.

2. GOVERNMENTAL ORGANIZATION AND RECORDS SYSTEM

INTRODUCTION

HISTORICAL BACKGROUND

The county system of government is an inheritance from England and the American colonies, whence pioneers brought their customs and laws. Its beginnings in Indiana are found in the Ordinance of 1787, enacted by Congress for the government of the Territory of the United States Northwest of the Ohio River; in the act of Congress of May 7, 1800, creating Indiana Territory; and in the laws of the Northwest Territory, 1788-1800, and of the Indiana Territory, 1805-15, enacted by the territorial general assemblies.

In 1781, 1784, 1785, and 1786, New York, Virginia, Massachusetts, and Connecticut ceded to the United States their claims to all the land north of the Ohio River, comprising the present states of Indiana, Illinois, Michigan, Ohio, and Wisconsin, and part of the present state of Minnesota. This land became known as the Northwest Territory.¹

The ordinance of 1787 authorized the creation of counties by proclamation of the governor until the organization of the territorial general

¹⁰⁶ Backus, *op. cit.*

¹⁰⁷ E. J. Quinn, "Soil Survey of La Porte County," *Indiana Geological Report*, 1911, p. 288. Indiana State Planning Board, *op. cit.*

¹⁰⁸ U. S. *Census*, 1840, p. 82. *Ibid.*, 1890, *Population*, pt. 1:123. *Ibid.*, 1920, *Population*, 1:103. *Ibid.*, 1930, *Population*, 3: pt. 1:737.

¹ Burns, vol. 1, pp. 285-87. Clarence E. Carter, editor, *The Territorial Papers of the United States*, 2:3 ff.

assembly, and thereafter by the latter;² which authority was continued by the act of Congress creating Indiana Territory.³ The governor of the Northwest Territory, by proclamation of June 20, 1790, created Knox County, embracing all of what is now Indiana (as well as parts of Illinois, Michigan, Ohio, and Wisconsin),⁴ which remained the only county in Indiana's governmental background until 1801.

By an act of May 7, 1800, effective July 4, 1800, Congress created Indiana Territory, embracing the western division of the Northwest Territory; the eastern division became the State of Ohio in 1803. From July 4, 1800, until March 1, 1803, parts of the present Indiana counties of Dearborn, Franklin, Ohio, Randolph, Switzerland, Union, and Wayne belonged to the eastern division. From June 30, 1805, until April 19, 1816, parts of the present Indiana counties of Elkhart, La Grange, La Porte, Porter, St. Joseph, and Steuben belonged to Michigan Territory.⁵

Indiana, with its present boundaries, was admitted to the Union in 1816.⁶ The constitution of that year provided for the election in each county of a clerk of the circuit court,⁷ a recorder,⁸ a sheriff, and a coroner.⁹ All territorial laws not inconsistent with the constitution were continued in force until they expired or were repealed.¹⁰

La Porte County, composed of lands previously within St. Joseph County and other lands previously attached to St. Joseph County, was created by act of the general assembly of January 9, 1832, effective April 1, 1832.¹¹ In the early fall of 1832, the county seat was located at La Porte, where it has since remained.¹²

The second constitution was adopted in 1851, and with amendments remains the present constitution of the state. The Revised Statutes of 1852, which became effective in 1853 as an official code, repealed, with certain specified reservations, all laws except those re-enacted in the code.¹³ No code of laws has been adopted by the general assembly since 1853.

SCOPE OF COUNTY GOVERNMENT

A county is an involuntary corporation, organized by the general assembly, as a political subdivision of the state, solely for governmental

² Laws N.W. Terr., Ordinance of 1787, p. 125; Burns, vol. 1, p. 289.

³ U. S. Public Statutes at Large, 2:58; Burns, vol. 1, p. 296.

⁴ William Henry Smith, editor, *St. Clair Papers*, 2:16n. George Pence and Nellie C. Armstrong, *Indiana Boundaries*, 21, 514, 515.

⁵ U. S. Public Statutes at Large, 2:58, 174; 3:289; Burns, vol. 1, p. 301. Pence and Armstrong, *op. cit.*, 11, 12, 138-43.

⁶ U. S. Public Statutes at Large, 3:289, 399; Burns, vol. 1, p. 301-5.

⁷ Const. 1816, art. 5, sec. 8.

⁸ *Ibid.*, art. 11, sec. 10.

⁹ *Ibid.*, art. 4, sec. 25.

¹⁰ *Ibid.*, art. 12, sec. 4.

¹¹ Acts 1829-30, ch. 23, sec. 7. Acts 1831-32, ch. 2. Pence and Armstrong, *op. cit.*, 554-63. See also Historical Sketch in Part A-1 of this book.

¹² Pence and Armstrong, *op. cit.*, 554. E. D. Daniels, *History and Biographical Record of La Porte County* (1904), 41, 42. See also Historical Sketch in Part A-1 of this book.

¹³ Const., art. 7, sec. 20. Acts 1851-52 (special and local), chs. 44, 63. I Rev. Stat. 1852, ch. 92. Acts 1853, ch. 105. Jones v. Cavins, 4 Ind. 305.

purposes. The authority of the county and its officers and agents is limited to that expressly or impliedly conferred on them by the general assembly. Except as limited by the constitution, the general assembly has full power to create, modify, and abolish counties, and to prescribe their powers, governmental organization, and liabilities.¹⁴

The officers for county government provided for by the constitution are the judge¹⁵ and the clerk¹⁶ of the circuit court, prosecuting attorney,¹⁷ auditor, recorder, treasurer, sheriff, coroner, and surveyor.¹⁸ In addition, the general assembly has created in La Porte County¹⁹ these offices and boards: Agricultural agent, assessor, board of canvassers, board of commissioners, board of education, board of election commissioners, board of finance, board of primary election commissioners, board of review, board of tax adjustment, county council, county planning commission, department of public welfare, health officer, highway supervisor, inspector of weights and measures, registration officer, school fund board, superintendent of schools, and judge of the superior court. All of these offices and boards are discussed separately in part B of this book. A commission of public records and a magistrate's court were provided for by the general assembly in 1939, but these acts are not effective at the time of writing.²⁰

The constitution provides that no person shall be elected or appointed as a county officer who is not an elector of the county or who was not an inhabitant thereof "during one year next preceding his appointment",²¹ and that all county officers shall reside within their respective counties and shall keep their respective offices at such places therein and perform such duties as may be directed by law.²² A county officer, within the meaning of these provisions, is a person by whom a county performs its usual functions of government.²³

Every officer and every deputy, before entering on his official duties, must take an oath that he will support the state and federal constitutions, and faithfully discharge the duties of his office.²⁴

Deputies may be appointed by the assessor,²⁵ registration officer,²⁶ auditor, clerk of the circuit court, superintendent of schools, coroner,

¹⁴ *Gavin v. Board of County Comrs.*, 104 Ind. 201, 3 N. E. 846; *Applegate v. Pettyjohn*, 205 Ind. 122, 125, 185 N. E. 911; *McDermott v. Board of County Comrs.*, 60 Ind. App. 209, 110 N. E. 237; *Buck v. Indiana Const. Co.*, 79 Ind. App. 329, 138 N. E. 356.

Const., art. 6, sec. 10, provides: "The General Assembly may confer upon the boards doing county business in the several counties, powers of a local administrative character."

¹⁵ Const., art. 7, secs. 1, 8, 9.

¹⁶ *Ibid.*, art. 6, sec. 2.

¹⁷ *Ibid.*, art. 7, sec. 11.

¹⁸ *Ibid.*, art. 6, sec. 2.

¹⁹ *Ibid.*, secs. 3, 10. For statutory citations, see the legal status essays of these offices in part B of this book.

²⁰ Acts 1939, chs. 91, 164.

²¹ Const., art. 6, sec. 4.

²² Const., art. 6, sec. 6.

²³ *State ex rel. Osborn v. Eddington*, 208 Ind. 160, 195 N. E. 92.

²⁴ Const. art. 15, sec. 4. L Rev. Stat. 1852; Burns 49-101; Baldwin 13054.

²⁵ Acts 1919; Burns 64-1102; Baldwin 15698.

²⁶ Acts 1933, 1935; Burns, 1938 suppl., 29-306; Baldwin, 1935 suppl., 7304.

prosecuting attorney, recorder, sheriff, surveyor, and treasurer; the appointing officer may require the deputy to give bond;²⁷ the deputies must take the oath required of their principals, may perform all the official duties of such principals, and are subject to the same regulations and penalties;²⁸ and the principals are responsible for all the official acts of their deputies.²⁹

GENERAL ADMINISTRATION

Ever since April 9, 1832 (the time of the first election),³⁰ the general administrative control of county matters has been vested in the board of commissioners, subject to exceptions herein stated. Since 1899, many powers of a fiscal nature previously exercised by the board of commissioners have been vested exclusively in the county council.³¹

The county council has exclusive power: To fix the rate of taxation for county purposes, and for all purposes where the rate not fixed by law is required to be uniform throughout the county;³² to make appropriations of money to be paid out of the county treasury;³³ to adopt the annual county budget;³⁴ to authorize the borrowing of money for the county;³⁵ and the sale or conveyance or purchase by the county of real estate of the value of \$1,000 or more.³⁶ The county council and the board of commissioners, acting together, perform the following duties: Approving the acceptance of lands given or devised to the county for purposes of a public forest;³⁷ hearing petitions for the condemnation of school buildings as unfit for use, subject to appeal to the circuit or superior court;³⁸ determining, on proper petition, the order in which county highway projects shall be established and constructed, in the event two or more petitions for such projects are on file with the auditor at the same time;³⁹ rebuilding courthouses and jails destroyed by fire or windstorm, and issuing bonds to defray the expense of same.⁴⁰

The board of commissioners is a body corporate and politic by the name and style of "The Board of Commissioners of the County of La Porte."⁴¹ In legal contemplation, the board is the county.⁴²

²⁷ Acts 1925; Burns 49-501; Baldwin 13108. Acts 1937; Burns, 1938 suppl., 49-1002; Baldwin, 1937 suppl., 7532.

²⁸ 1 Rev. Stat. 1852; Burns 49-502; Baldwin 13109.

²⁹ 1 Rev. Stat. 1852; Burns 49-503; Baldwin 13110.

³⁰ *History of La Porte County* (1880), 556.

³¹ Acts 1816-17, ch. 15. Rev. Laws 1824, ch. 15. Rev. Laws 1831, ch. 20. Acts 1831-32, ch. 2, secs. 4, 7. Const., art. 6, sec. 10. 1 Rev. Stat. 1852, ch. 6, sec. 1; ch. 20, secs. 17, 18, 21, 22. Acts 1899; Burns 26-501 to 26-551; Baldwin 5365 to 5414. 1 Rev. Stat. 1852; Burns 26-601 to 26-639; Baldwin 5215 to 5360. *Snider v. State* ex rel. Leap, 206 Ind. 474, 190 N. E. 178.

³² Acts 1899; Burns 26-515; Baldwin 5379.

³³ Acts 1899; Burns 26-515; Baldwin 5379. Acts 1937; Burns, 1938 suppl., 26-521; Baldwin, 1937 suppl., 5385.

³⁴ Acts 1899; Burns 26-516 to 26-520; Baldwin 5380 to 5384.

³⁵ Acts 1929; Burns 26-532; Baldwin 5396. Acts 1933; Burns 26-1022; Baldwin 5397.

³⁶ Acts 1899; Burns 26-534; Baldwin 5399.

³⁷ Acts 1929; Burns 32-105; Baldwin 4879.

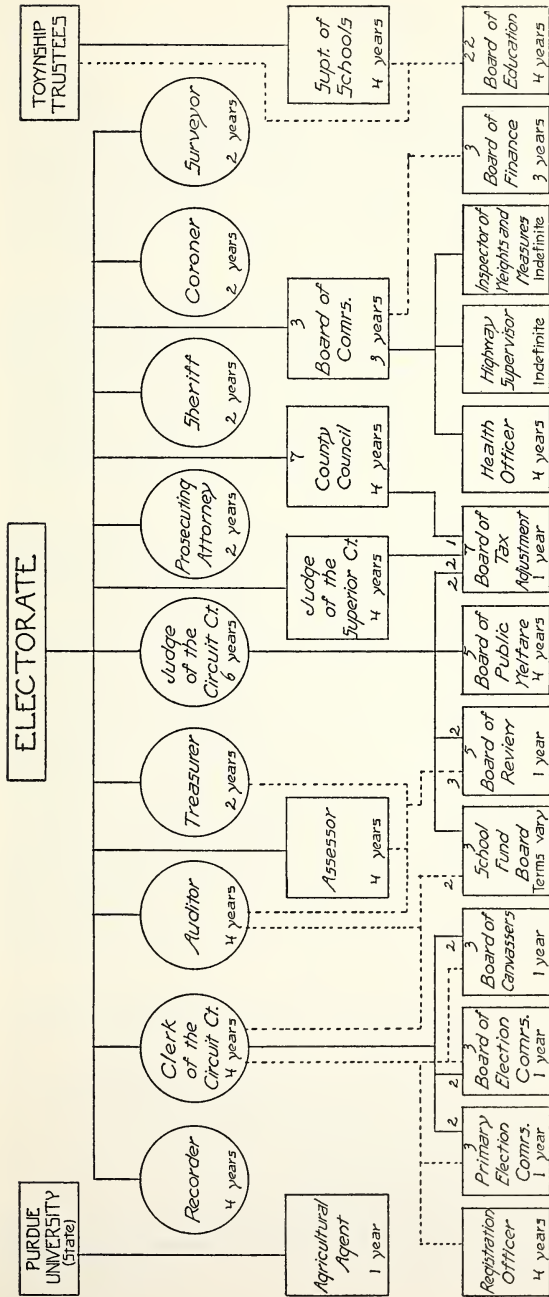
³⁸ Acts 1931; Burns 28-3001 to 28-3006; Baldwin 6143 to 6148.

³⁹ Acts 1931; Burns 36-327 to 36-331; Baldwin 8751 to 8755.

⁴⁰ Acts 1935; Burns, 1938 suppl., 26-2011; Baldwin, 1935 suppl., 5240-1.

⁴¹ 1 Rev. Stat. 1852; Burns 26-606; Baldwin 5220.

⁴² *Dice v. County Board of Finance*, 99 Ind. App. 405, 192 N. E. 770.



Board of Tax Adjustment,
 selection of two members not
 indicated: One, the Mayor of
 Michigan City or his appointee;
 one, a member of the county
 board of education.

Circles - constitutional officers.
 Squares - statutory officers.
 Figures - number of members
 and term of office.
 Solid lines - elected or appointed.
 Broken lines - ex officio.

CHART OF LA PORTE COUNTY GOVERNMENTAL ORGANIZATION, 1939

FINANCE

TAXATION

The power of taxation is inherent in the state, and is a legislative power limited only by the provisions of the constitution.⁴³ The constitution states that the general assembly shall provide for a uniform and equal rate of assessment and taxation; and shall prescribe such regulations as shall secure a just valuation for taxation of all property, excepting that which may be specially exempted by law.⁴⁴ This section applies only to a general assessment on property according to its value, and does not apply to excise taxes.⁴⁵

In Indiana, there are poll taxes, excise taxes, and property taxes. A poll tax is assessed on every male inhabitant of this state between the ages of 21 and 50 years.⁴⁶ Poll tax exemptions are allowed to the following persons: Volunteer firemen,⁴⁷ militiamen, soliders, and sailors,⁴⁸ and persons exempted by the county commissioners because of inability to pay.⁴⁹ The auditor certifies to the city officials the number of taxable polls therein.⁵⁰ Poll tax is collected by the county treasurer. A poll tax receipt must be presented to any licensing authority to obtain a license.⁵¹

The tax on financial institutions is an excise tax⁵² (in lieu of all other taxes) on banks, trust companies, and building and loan associations. It is administered by the county auditor and county treasurer under the supervision of the state board of tax commissioners.⁵³

The inheritance tax is an excise tax administered by the county assessor and the county treasurer, under the supervision of the state board of tax commissioners, and by the courts exercising probate jurisdiction. Schedule must be filed with the court within 12 months after the death of decedent. Notice is given to the interested parties, the estate is appraised, and the court determines the amount of tax due.⁵⁴ The treasurer collects the tax and issues a receipt in duplicate, one copy of which is sent to the state board; and no final accounting of an estate is made until such receipt is countersigned by that board.⁵⁵ The county treasurer must report quarterly all inheritance taxes received by him.

⁴³ State ex rel. Goodman v. Halter, 149 Ind. 292, 47 N. E. 665; Dunn v. Indianapolis, 208 Ind. 630, 196 N. E. 528; Miles v. Department of Treasury, 209 Ind. 172, 199 N. E. 372.

⁴⁴ Const., art. 10, sec. 1.

⁴⁵ State Bd. of Tax Comrs. v. Jackson, 283 U. S. 527, 75 L. Ed. 1248, 51 Sup. Ct. 540; Miles v. Department of Treasury, 209 Ind. 172, 199 N. E. 372; Davis v. Sexton, 210 Ind. 138, 200 N. E. 233.

⁴⁶ Acts 1919; Burns 64-102; Baldwin 15515.

⁴⁷ Acts 1933, 1935; Burns, 1938 suppl., 48-6134; Baldwin, 1935 suppl., 8227.

⁴⁸ Acts 1919, 1920 (Spec. Sess.), 1921, 1933; Burns 45-1210, 64-201; Baldwin 10917, 15518. Acts 1937; Burns, 1938 suppl., 64-220; Baldwin, 1937 suppl., 15515-1.

⁴⁹ 1 Rev. Stat. 1852; Burns 26-1207; Baldwin 5336.

⁵⁰ Acts 1905, 1911; Burns 48-3708; Baldwin 11516.

⁵¹ Acts 1931; Burns 42-102 to 42-105; Baldwin 10499 to 10501, 10503.

⁵² Luts v. Arnold, 208 Ind. 480, 193 N. E. 840.

⁵³ Acts 1933; Burns 64-801 to 64-834; Baldwin 15582 to 15615.

⁵⁴ Acts 1931, 1933; Burns 6-2408; Baldwin 15946. Acts 1931, 1933, 1937; Burns, 1938 suppl., 6-2407; Baldwin, 1937 suppl., 15945.

⁵⁵ Acts 1931; Burns 6-2413; Baldwin 15951.

All such collected taxes are transmitted by the county treasurer, by warrant issued by the county auditor, to the treasurer of state.⁵⁶ When directed by the court to do so, the prosecuting attorney sues to collect the tax.⁵⁷

The intangibles tax is a stamp tax (excise tax)⁵⁸ on notes, stocks, bonds, and other evidences of property interests or obligations for payment of money. This tax is administered by the county assessor⁵⁹ and the county treasurer, under the supervision of the state board of tax commissioners. Stamps are issued by the state board and sold by the county treasurer.⁶⁰ The taxpayer is required to file with his tangible personal property schedule an affidavit showing that he has complied with the intangibles tax law.⁶¹ The tax is entered on the tax duplicate if not paid when due. Omitted property may be assessed by any county tax officer or officers by the state board of tax commissioners.⁶² In case of nonpayment, suit for collection may be brought by the prosecuting attorney or the attorney general.⁶³

The property tax laws are administered by the township assessor, county assessor, auditor, treasurer, board of review, county council, and board of tax adjustment, under the supervision of the state board of tax commissioners. The state board prescribes rules and regulations and advises with the subordinate tax officials. It makes original assessments of certain classes of property of railroads, telephone companies, and other public utilities,⁶⁴ and supervises and reviews assessments, appropriations, and levies of the subordinate tax officials.⁶⁵

The principal steps in property taxation are: assessment, budget, levy, and collection. The assessment is the determination of what property is taxable and the value thereof. The budget is the appropriation of money for expenditures for the next calendar year. The levy is the charging of a certain amount of taxes against each \$100 of assessed valuation to raise the money required for the budget. The collection involves the voluntary payment and also proceedings to compel payment.

In townships having a population not exceeding 5,000 (all townships except Michigan and Center), the office of township assessor has been abolished, and the duties of such office are performed by the township trustee. Reference herein to the township assessor includes the township trustee performing the duties of township assessor.⁶⁶

⁵⁶ Acts 1931; Burns 6-2414; Baldwin 15952.

⁵⁷ Acts 1931; Burns 6-2415; Baldwin 15953.

⁵⁸ Lutz v. Arnold, 208 Ind. 480, 193 N. E. 840.

⁵⁹ Acts 1933; Burns 64-917; Baldwin 15915. Acts 1933, 1935; Burns, 1938 suppl., 64-906; Baldwin, 1935 suppl., 15904.

⁶⁰ Acts 1933; Burns 64-924, 64-927; Baldwin 15922, 15925.

⁶¹ Acts 1933; Burns 64-918; Baldwin 15916.

⁶² Acts 1933, 1935; Burns, 1938 suppl., 64-915; Baldwin, 1935 suppl., 15913.

⁶³ Acts 1933; Burns 64-921; Baldwin 15919.

⁶⁴ Acts 1913, 1933; Burns 54-610 (d); Baldwin 14027. Acts 1918, 1921, 1923, 1932 (Spec. Sess.); Burns 64-703 to 64-740; Baldwin 15617 to 15854.

⁶⁵ Acts 1919, 1920 (Spec. Sess.), 1921, 1923, 1925, 1927, 1931; Burns 64-1301 to 64-1338; Baldwin 15705 to 15737, 12490 to 12492, 12522, 12527. Acts 1935; Burns, 1938: suppl., 64-1313, 64-1321, 64-1324, 64-1325, 64-1351; Baldwin, 1935 suppl., 15717, 15725, 15728, 15729, 15735.

⁶⁶ Acts 1933; Burns 64-1031; Baldwin 15604.

Assessment of real and personal property for county purposes also serves as the assessment for state, township, city, and town purposes.⁶⁷ Personal property is assessed each year as of the first day of March.⁶⁸ Though real estate is not reassessed every year (the old assessment remaining in effect until changed), the lien for taxes thereon dates from March 1.⁶⁹ All property, real and personal, is required to be assessed at the true cash value thereof.⁷⁰ Since personal property and real property are assessed differently, we shall discuss them separately, beginning with personal property.

Personal property must be listed for taxation between March 1 and May 15 each year, with reference to the quantity and quality owned on March 1.⁷¹ The taxpayer must list, under oath, all personal property held, possessed, or controlled by him, and state what he deems the true cash value of each item. The assessor may interrogate the taxpayer and other persons under oath and set down and assess such amount of personal property as he may deem just.⁷² Refusal to make the return or oath may result in a 50 per cent additional valuation.⁷³

Omitted personal property may be assessed by the township assessor,⁷⁴ county assessor,⁷⁵ auditor,⁷⁶ treasurer,⁷⁷ or board of review;⁷⁸ and appeal from such assessment may be taken to the circuit court, on the question of whether such omitted property is taxable.⁷⁹

The county assessor advises and instructs all township assessors in the county to bring out uniformity and equality of assessment.⁸⁰ The board of review meets on the first Monday in June each year, reviews the assessment of personal property and assesses omitted personal property.⁸¹ Any person dissatisfied with the decision of the board of review may appeal to the state board of tax commissioners.⁸²

The auditor delivers to the township assessors, on or before March 1 each year, lists of taxable lands.⁸³ He makes plats of lands and improvements in the several townships;⁸⁴ and, for taxation purposes, keeps a

⁶⁷ Acts 1919; Burns 64-2814; Baldwin 15877.

⁶⁸ Acts 1919; Burns 64-103, 64-401, 64-403; Baldwin 15516, 15524, 15526.

⁶⁹ Acts 1919, 1920 (Spec. Sess.); Burns 64-2825; Baldwin 15886.

⁷⁰ Acts 1919; Burns 64-103, 64-1009; Baldwin 15516, 15675. Acts 1937; Burns, 1938 suppl., 64-1019b; Baldwin, 1937 suppl., 15685.

⁷¹ Acts 1919; Burns 64-401; Baldwin 15524.

⁷² Acts 1919; Burns 64-601 to 64-604, 64-610; Baldwin 15569 to 15572, 15578.

⁷³ Acts 1919; Burns 64-610; Baldwin 15578.

⁷⁴ Acts 1919; Burns 64-1025; Baldwin 15692.

⁷⁵ Acts 1919; Burns 64-1102; Baldwin 15698.

⁷⁶ Acts 1919; Burns 64-1402; Baldwin 15739.

⁷⁷ Acts 1919; Burns 64-2102; Baldwin 15803.

⁷⁸ Acts 1919, 1920 (Spec. Sess.); Burns 64-1201; Baldwin 15700.

⁷⁹ Acts 1919, 1927; Burns 64-2103; Baldwin 15804. This statement of the limitation on the scope of the appeal was suggested by Philip Zoercher, chairman of the state board of tax commissioners.

⁸⁰ Acts 1919, 1921; Burns 64-1001, 64-1102; Baldwin 15666, 15698.

⁸¹ Acts 1919, 1920 (Spec. Sess.); Burns 64-1201; Baldwin 15700.

⁸² Acts 1919, 1935; Burns, 1938 suppl., 64-1321; Baldwin, 1935 suppl., 15725. State board of tax commissioners, tax rule 6.

⁸³ Acts 1919, 1937; Burns, 1938 suppl., 64-1007; Baldwin, 1937 suppl., 15672.

⁸⁴ *Ibid.*

transfer book.⁸⁵ An heir or devisee may have a transfer made on the tax duplicate.⁸⁶

The township assessor is required to call on landowners for a list of lands. Failure to furnish such list within five days after being called on, as notified to do, may result in a 25 percent additional valuation.⁸⁷ Each township assessor on or before the first Monday in June, delivers to the auditor a return of the real estate listed.⁸⁸

Re-assessment of real estate cannot be made except on the order of the state board of tax commissioners. The last general re-assessment of real estate in Indiana was in 1932.⁸⁹ Each person charged with making assessment valuations of real estate is required to correct, on the tax books, errors as to description of property and name of owner, and make note of any change of ownership since the last assessment. The township assessors,⁹⁰ county assessor,⁹¹ auditor,⁹² treasurer,⁹³ and board of review⁹⁴ have power to assess omitted real estate. The auditor makes assessment of any newly platted additions to any city or town.⁹⁵ The assessments of omitted real estate by the township assessor, county assessor, auditor, and treasurer may be reviewed and revised at the next meeting of the board of review.⁹⁶ The decision of the board of review in reviewing such assessment or in making an original assessment of omitted real estate may be reviewed by the state board of tax commissioners.⁹⁷ From any assessment of omitted property, appeal may be taken to the circuit court on the question whether such property is taxable.⁹⁸

In case of flood, fire, or other disaster causing substantial property damage in any township, the state board of tax commissioners must order a survey thereof and may thereafter order re-assessment of all or part of the property in such township.⁹⁹ The state board, after March 31 of a year in which a general election is not held, may, without petition of taxpayers, order re-assessment for the whole state or for any

⁸⁵ Acts 1919; Burns 64-1409; Baldwin 15746.

⁸⁶ Acts 1921; Burns 64-519; Baldwin 14777.

⁸⁷ Acts 1919; Burns 64-1008; Baldwin 15674.

⁸⁸ Acts 1919; Burns 64-1016; Baldwin 15682.

⁸⁹ Acts 1919, 1925, 1927, 1935, 1937; Burns, 1938 suppl., 64-1019; Baldwin, 1937 suppl., 15685.

⁹⁰ Acts 1919; Burns 64-1025; Baldwin 15692. Acts 1919, 1925, 1927, 1935, 1937; Burns, 1938 suppl., 64-1019; Baldwin, 1937 suppl., 15685.

⁹¹ Acts 1919; Burns 64-1102; Baldwin 15698.

⁹² Acts 1919; Burns 64-1402; Baldwin 15739.

⁹³ Acts 1919; Burns 64-2102; Baldwin 15803.

⁹⁴ Acts 1919, 1920 (Spec. Sess.); Burns 64-1201; Baldwin 15700.

⁹⁵ Acts 1919; Burns 64-1027; Baldwin 15691.

⁹⁶ Acts 1919, 1920 (Spec. Sess.); Burns 64-1201, 64-1205; Baldwin 15700, 15704.

⁹⁷ Acts 1919, 1935; Burns, 1938 suppl., 64-1321; Baldwin, 1935 suppl., 15725. State board of tax commissioners, tax rule 6.

⁹⁸ Acts 1919, 1927; Burns 64-2103; Baldwin 15804. This statement of the limitation on the scope of the appeal was suggested by Philip Zoercher, chairman of the state board of tax commissioners.

⁹⁹ Acts 1919, 1925, 1927, 1935, 1937; Burns, 1938 suppl., 64-1019(c); Baldwin, 1937 suppl., 15685(c).

of the counties or townships thereof.¹⁰⁰ Any person may, before March 31 in any year, file with the state board of tax commissioners a petition for re-assessment of his real estate. At the hearing, the petitioner must show cause for re-assessment. Other taxpayers may be heard in opposition. The board may then order the re-assessment petitioned for.¹⁰¹ A petition for re-assessment of all real estate in a township, signed by a specified percentage of the resident owners of taxable real estate of such township and bearing a certificate of the auditor as to the required number of signers, may be filed with the state board of tax commissioners before March 31, in any year in which there is no general election of state, county, or township officials. On this petition, the board may order re-assessment of all or part of the real estate in the township.¹⁰²

Any person owning real estate subject to mortgage may have the amount of the mortgage, not exceeding \$1,000 and not exceeding one-half the assessed valuation, existing and unpaid on the first day of March, deducted from the assessed valuation for that year, by filing with the auditor between the first day of March and the first Monday in May a sworn statement in the form required by law.¹⁰³

Within ten days after the valuation of real or personal property is determined by the board of review or state board of tax commissioners, the owner may appeal to the circuit court or superior court on questions of law concerning such valuation.¹⁰⁴

The county auditor, not later than September 1 each year, apporitions the final assessment of real and personal property among the several taxing units of the county and certifies the same to the county, townships, cities, and towns for the purpose of making tax levies based thereon.¹⁰⁵

The county council, at its annual meeting in August, adopts a budget, establishes the tax rate, and makes tax levies for the succeeding calendar year. The auditor then schedules the rates for the several municipal corporations in the county, verifies the figures and calculations, and reports the levies to the state board of tax commissioners.¹⁰⁶ Appeal from the action of the county council may be taken to the state board of tax commissioners.¹⁰⁷

The laws discussed in the next four paragraphs do not apply to levies and rates to meet: (1) Funding, refunding, or judgment funding

¹⁰⁰ Acts 1919, 1925, 1927, 1935, 1937; Burns, 1938 suppl., 64-1019 (b); Baldwin, 1937 suppl., 15685 (b).

¹⁰¹ Acts 1919, 1925, 1927, 1935, 1937; Burns, 1938 suppl., 64-1019 (d); Baldwin, 1937 suppl., 15685 (d).

¹⁰² Acts 1919, 1925, 1927, 1935, 1937; Burns, 1938 suppl., 64-1019 (a); Baldwin, 1937 suppl., 15685 (a).

¹⁰³ Acts 1919; Burns 64-209 to 64-212; Baldwin 15565 to 15568.

¹⁰⁴ Acts 1927; Burns 64-1020; Baldwin 15686.

¹⁰⁵ Acts 1919, 1920 (Spec. Sess.); Burns 64-1329; Baldwin 15733.

¹⁰⁶ Acts 1889; Burns 26-516 to 26-520; Baldwin 5380 to 5384. Acts 1920 (Spec. Sess.); Burns 64-1329; Baldwin 15733. Acts 1919; Burns 64-1330; Baldwin 15734. Acts 1935; Burns, 1938 suppl., 64-1331, 64-1339; Baldwin, 1935 suppl., 15735, 15737-1.

¹⁰⁷ Acts 1919, 1920 (Spec. Sess.), 1921, 1927, 1935; Burns, 1938 suppl., 64-1331; Baldwin, 1935 suppl., 15735.

obligations; (2) "outstanding obligations"; (3) judgments; (4) obligations issued to meet emergency growing out of flood, fire, pestilence, war, or other major disaster; (5) obligations issued on petition under this act; (6) requirements of the county welfare fund for public welfare services. It is the duty of the county council to levy an amount sufficient to meet such purposes, regardless of any statutory provisions to the contrary.¹⁰⁸

Except on authorization of the state board of tax commissioners, the total tax rate for all purposes cannot exceed \$1.25 on each \$100 of taxable property inside incorporated cities and towns.¹⁰⁹

At least two days before the second Monday in September, each municipal corporation¹¹⁰ of the county files with the county auditor a statement of the tax levies and rates for the ensuing year, fixed by such municipal corporations, and copies of the budgets on which such levies are based.¹¹¹ At the meeting of the board of tax adjustment on the second Monday of September, the auditor lays before the board the said budgets, tax levies, and rates.¹¹² It is the duty of the board of tax adjustment to examine, revise, change, or reduce (but not increase) any budget, tax levy, or rate, and to hold such budget within the total amount of revenue to be raised therefor from any source whatever. If the board of tax adjustment decides that such rates are inadequate, it certifies to the state board of tax commissioners its analysis and recommendations together with such data and facts as may be deemed essential to review. The state board then reviews the budgets, and may authorize rates beyond the statutory limits.¹¹³

If the board of tax adjustment does not complete its duties before October 2, or fails to reduce the aggregate amount of the levies and rates to the said limits, then the auditor calculates and fixes the rates, so that the total tax rate on property within any municipal corporation does not exceed said limits, and certifies his action to each municipal corporation before October 6. Before October 16, appeal to the state board of tax commissioners may be taken by the municipal corporation or by 10 or more taxpayers.¹¹⁴

After the budget, levy, and rate for each municipal corporation have been finally fixed and determined, the appropriating body of each municipal corporation allocates the funds to be derived from such levy in such manner that the expenditures for the ensuing year will remain within the limitations as finally fixed in the manner stated in the two preceding paragraphs.¹¹⁵

¹⁰⁸ Acts 1937; Burns, 1938 suppl., 64-312, 64-313; Baldwin, 1937 suppl., 15897-6, 15897-7.

¹⁰⁹ Acts 1937; Burns, 1938 suppl., 64-309; Baldwin, 1937 suppl., 15897-1, 15897-5.

¹¹⁰ The term "municipal corporation" includes counties, townships, cities, towns, school districts, and all taxing units within the state. Acts 1933; Burns 64-302; Baldwin 15893.

¹¹¹ Acts 1937; Burns, 1938 suppl., 64-311; Baldwin, 1937 suppl., 15897-5.

¹¹² Acts 1937; Burns, 1938 suppl., 64-310; Baldwin, 1937 suppl., 15897-4.

¹¹³ Acts 1937; Burns, 1938 suppl., 64-311; Baldwin, 1937 suppl., 15897-5.

¹¹⁴ Acts 1937; Burns, 1938 suppl., 64-314; Baldwin, 1937 suppl., 15897-8.

¹¹⁵ Acts 1937; Burns, 1938 suppl., 64-315; Baldwin, 1937 suppl., 15897-9.

If the county council determines that emergency exists requiring expenditures for the current year not authorized by the budget as originally established, or as modified by the state board of tax commissioners, the council may make an additional appropriation and levy. The auditor then certifies the matter to the state board for its approval.¹¹⁶

Between the first Monday in July and the last day of December the auditor makes out and delivers to the treasurer a roll of taxes known as the tax duplicate. On or before January 1, the county auditor delivers to the auditor of state, county auditor, and county treasurer a complete abstract of all property listed in each township, city, and town.¹¹⁷

Property taxes for state, county, township, city, and town purposes are payable to the county treasurer in two equal installments on or before the first Monday in May and the first Monday in November, respectively, in the year following the year for which the property was assessed. If any installment is not paid when it becomes due, such installment becomes delinquent, and a penalty of eight percent of such installment is added. Also the delinquent installment draws interest at the rate of eight percent per annum from the date of delinquency to the time of payment.¹¹⁸

It is the duty of the county treasurer to collect all such property taxes after they become delinquent. He may levy on personal property at any time after the tax becomes delinquent, or before delinquency if he has good reason to believe the taxpayer is about to leave the county without payment, and sell the same to satisfy the taxes due. Suit in the name of the treasurer may be brought by the prosecuting attorney to collect taxes. Real estate may be sold at tax sale, on the second Monday in April, after advertisement, but not until 15 months have elapsed since delinquency.¹¹⁹ The owner or occupant of any land sold for taxes, or any other person having an interest therein, may redeem the same at any time within two years after the sale.¹²⁰

FEES

The laws provide for the charging of fees by various county officials. Salaried officials cannot disburse their fees for office expense, or retain the fees or interest thereon as compensation, unless a statute specifically authorizes them to do so. Such fees must be paid into the

¹¹⁶ Acts 1899, 1907, 1913, 1937; Burns, 1938 suppl., 26-251; Baldwin, 1937 suppl., 5385. Acts 1919, 1920 (Spec. Sess.), 1921, 1927, 1935; Burns, 1938 suppl., 64-1331; Baldwin, 1935 suppl., 15735.

¹¹⁷ Acts 1919; Burns 64-1403, 64-1408; Baldwin 15740, 15745.

¹¹⁸ Acts 1919; Burns 64-1502; Baldwin 15748. Acts 1932 (Spec. Sess.); Burns 64-1508; Baldwin 15751. Acts 1935; Burns, 1938 suppl., 64-1542; Baldwin, 1935 suppl., 15765-1.

¹¹⁹ Acts 1932 (Spec. Sess.); Burns 64-1509, 64-1511; Baldwin 15752, 15754. Acts 1919, 1931; Burns 64-1701 to 64-1705, 64-2201, 64-2203 to 64-2211, Baldwin 15778 to 15782, 15806, 15808 to 15818. Acts 1919, 1931, 1937; Burns, 1938 suppl., 64-2202; Baldwin, 1937 suppl., 15807.

¹²⁰ Acts 1919; Burns 64-2301; Baldwin 15819.

county treasury. The officer cannot draw any salary while illegally withholding fees.¹²¹

County officials may charge and collect only such fees as are allowed by statute.¹²² If an officer collects illegal fees, the county cannot recover them from such officer, since they belong to the person paying same.¹²³ If the officer unlawfully refuses to pay over fees collected by him, an action lies on his bond;¹²⁴ and if he pays over fees which he is entitled to retain, he may sue to recover same.¹²⁵

All officers are required to keep complete records of all fees received from any source whatever. Such records are subject to public inspection at any time, and must be inspected by the board of commissioners at their meetings.¹²⁶

STATE FUNDS

The counties receive from the state a portion of the funds in the motor vehicle highway account of the state. This account is composed of excise taxes on motor vehicle fuel, motor vehicles, operators, and chauffeurs.¹²⁷ The portion allotted to the counties is distributed on a basis of vehicular miles of county roads in each county as compared with the total in all of the counties.¹²⁸ Such funds are used by the county for construction and maintenance of county roads.¹²⁹

The counties receive from the state a portion of the license fees on liquor dealers. Distribution among the counties is based on the amount paid in for licenses with respect to dealers' premises located outside cities and towns in each county, as compared with the total for such areas in all counties.¹³⁰

The counties receive a portion of the intangibles tax. Distribution among the counties is based on the assessed valuation of the real property in each county, as compared to the total in all counties. One-fourth of the amount so received by the county is paid into the general fund of the county, and the remainder goes into the school funds of the town-

¹²¹ Acts 1933; Burns 49-1001, 49-1005; Baldwin 7531, 7535. Acts 1895; Burns 49-1410; Baldwin 7585. Keifer v. Summers, 137 Ind. 106, 35 N.E. 1103; Applegate v. State ex rel. Pettijohn, 205 Ind. 122, 185 N.E. 911; Board of County Comrs. v. Lewis, 81 Ind. App. 601, 144 N.E. 623.

¹²² Noble v. Board of County Comrs., 101 Ind. 127; Legler v. Paine, 147 Ind. 181, 45 N.E. 604.

¹²³ State ex rel. Board of County Comrs. v. Williams, 39 Ind. App. 376, 77 N.E. 1137.

¹²⁴ Acts 1883; Burns 49-142; Baldwin 13094. Workman v. State ex rel. Board of County Comrs., 165 Ind. 42, 73 N.E. 917.

¹²⁵ Board of County Comrs. v. Crone, 36 Ind. App. 283, 75 N.E. 826.

¹²⁶ Acts 1895; Burns 49-1401, 49-1409; Baldwin 7584. Acts 1879 (Spec. Sess.); Burns 49-2723; Baldwin 1443. Acts 1909; Burns 60-213; Baldwin 13864.

¹²⁷ Acts 1937; Burns, 1938 suppl., 36-2801, 1937 suppl., 8695-1.

¹²⁸ Acts 1937; Burns, 1938 suppl., 36-2808; Baldwin, 1937 suppl., 8695-8.

¹²⁹ Acts 1937; Burns, 1938 suppl., 36-2804 to 36-2806; Baldwin, 1937 suppl., 8695-4, 8695-6.

Acts 1939, ch. 64 (not effective at the time of writing), amends the first cited section by authorizing the county council to appropriate 20 per cent of such funds to pay off outstanding county unit road bonds.

¹³⁰ Acts 1935; Burns, 1938 suppl., 12-811; Baldwin, 1935 suppl., 3764-40(f).

ship, city, and town taxing units on a basis of valuation of the real property in each.¹³¹

Each county receives from the state, as reimbursement, about 81 percent of the money spent by the county for welfare assistance.¹³²

Distribution of the income from the common school fund surplus by the state to the several counties for school purposes is on a basis of average daily attendance of children in grades one to twelve in the schools of the respective counties.¹³³ School funds are discussed hereinafter under the heading Education.

PUBLIC DEBT: BORROWING MONEY

The constitution provides that the total amount of the county debt shall not exceed two percent of the value of the taxable property therein,¹³⁴ and a statute provides that such debt shall not exceed two percent of the taxable property less the total of all mortgage exemptions.¹³⁵

The borrowing of money and issuing of bonds for the county must be authorized by ordinance of the county council.¹³⁶ The notes, bonds, or other evidence of indebtedness are executed by the commissioners and attested by the auditor.¹³⁷ The obligations may bear interest at a rate not exceeding six percent per annum. If the interest rate exceeds five percent, the issuance must be approved by the state board of tax commissioners.¹³⁸ The council may provide for maturities at any time not exceeding 52 years from issuance.¹³⁹

The bonds are issued after publication of notice, and must be sold for an amount not less than par value and accrued interest. If the amount of the bond issue is to exceed \$5,000, and if 10 taxpayers file objections with the auditor, the objections will be certified to the state board of tax commissioners for hearing and disposition.¹⁴⁰

Temporary loans may be authorized to meet current running expenses to an amount not exceeding the revenue for the current year, and only as an anticipation of such revenue. It is the duty of the county council each year to levy an annual tax to pay all such temporary loans.¹⁴¹

The county council must make a levy of not less than one-tenth of one percent on the taxable property of the county each year, for the purpose of retiring bonds previously issued; and the taxes collected

¹³¹ Acts 1933; Burns 64-922; Baldwin 15920.

¹³² Acts 1936 (Spec. Sess.); Burns, 1938 suppl., 52-1405, 52-1412; Baldwin, 1937 suppl., 14078-117, 14078-124. This percentage was stated by the auditor of state in an interview on March 31, 1939.

¹³³ Acts 1865, 1893, 1932 (Spec. Sess.), 1933; Burns 28-1013; Baldwin 6490.

¹³⁴ Const., art. 13, sec. 1. Exception is made in case of war, foreign invasion, or other public calamity.

¹³⁵ Acts 1899, 1921, 1929; Burns 26-532; Baldwin 5396.

¹³⁶ *Ibid.*

¹³⁷ Acts 1899, 1921; Burns 26-540; Baldwin 5405.

¹³⁸ Acts 1899, 1921, 1929; Burns 26-532; Baldwin 5396. Acts 1919, 1920 (Spec. Sess.), 1921, 1923; Burns 64-1332; Baldwin 15736.

¹³⁹ Acts 1899, 1921, 1929; Burns 26-532, 61-401; Baldwin 5396, 13896.

¹⁴⁰ Acts 1899, 1921; Burns 26-540; Baldwin 5405. Acts 1919, 1920 (Spec. Sess.), 1921, 1923; Burns 64-1352; Baldwin 15736.

¹⁴¹ Acts 1899, 1921, 1929; Burns 26-532; Baldwin 5396.

therefrom must be invested in said bonds or other state or county securities, and shall constitute a sinking fund for the ultimate liquidation of such debt.¹⁴² The council must also levy each year a tax sufficient to pay interest for the year on bonds previously issued. If more taxes are collected under this levy than are needed to pay interest, it goes into the sinking fund.¹⁴³

APPROPRIATIONS

The power of making appropriations of money from the county treasury is vested exclusively in the county council.¹⁴⁴ Money can be drawn from the county treasury only in pursuance of appropriation therefor,¹⁴⁵ except in the following instances: (1) Money belonging to the state and commanded by law to be paid into the state treasury; (2) money belonging to any school fund; (3) money belonging to any fund of any township, town, or city, and commanded by law to be paid to such municipality; (4) money, due to any person, which has been paid into the county treasury pursuant to public improvement assessments on persons or property of the county in territory less than the whole county; (5) money, due to any person, which has been paid into the treasury for redemption from any tax or other sale; or money so due that has been paid in pursuant to authority of law as a tender or payment to such person; (6) taxes erroneously paid; (7) funds received from the state or federal government for welfare assistance or public work projects;¹⁴⁶ (8) salaries fixed by law.¹⁴⁷

Before the Thursday following the first Monday in August each year, the various officials of the county (including courts, board of commissioners, township assessor) submit to the auditor estimates of expenditures. At the annual meeting of the county council on the first Tuesday after the first Monday in September, the auditor submits all of the estimates to the county council with his recommendations and the council adopts an ordinance making appropriations for the ensuing calendar year. This appropriation is called the annual county budget, and the estimates of expenditures are called budget estimates.¹⁴⁸ If emergency arising after the adjournment of the annual meeting requires appropriations in addition to those originally included in the annual appropriation, additional appropriations may be made,¹⁴⁹ but must be approved by the

¹⁴² 1 Rev. Stat. 1852; Acts 1859; Burns 26-1006; Baldwin 5247. Acts 1899; Burns 26-515; Baldwin 5379.

¹⁴³ 1 Rev. Stat. 1852; Burns 26-1007; Baldwin 5248.

¹⁴⁴ Acts 1899; Burns 26-515; Baldwin 5379.

¹⁴⁵ *Ibid.*

¹⁴⁶ Acts 1899, 1935; Burns, 1938 suppl., 26-522; Baldwin 5386.

¹⁴⁷ *Blue v. State ex rel. Powell*, 210 Ind. 486, 1 N.E. (2d) 122.

¹⁴⁸ Acts 1899; Burns 26-516 to 26-520; Baldwin 5380 to 5384. Acts 1919, 1920 (Spec. Sess.), 1921, 1927, 1935; Burns, 1938 suppl., 64-1331, 64-1339; Baldwin, 1935 suppl., 15735, 15737-1.

¹⁴⁹ Acts 1937; Burns, 1938 suppl., 26-521; Baldwin, 1937 suppl., 5385.

The words "emergency growing out of a flood, fire, pestilence, war, or other major disaster" are used in Acts 1937; Burns, 1938 suppl., 64-312; Baldwin, 1937 suppl., 15897-6.

state board of tax commissioners.¹⁵⁰ It is unlawful for the county council to make any appropriation, unless money to pay the same be in the treasury or provided for.¹⁵¹

When any item of appropriation remains unexpended at the end of the calendar year for which it was appropriated, the amount thereof reverts to the general fund of the county, and no warrant can be drawn thereon. However, time for withdrawal is extended where payment was withheld during such year because of injunction which was later dissolved.¹⁵² It is unlawful to overdraw the amount of any item of appropriation or to use one item for the purpose of another item.¹⁵³

No county official or court has power to bind the county by any contract, express or implied, to any extent beyond the amount of money at the time already appropriated by ordinance for the purpose of the obligation attempted to be incurred.¹⁵⁴

CLAIMS AND ALLOWANCES

Claims against the county, duly itemized and verified, in writing, on forms furnished by the board of commissioners, may be filed with the auditor, who places them on the claim docket and thereafter presents them to the board for decision. At a regular or special session of the board of commissioners, beginning at least five days after the docketing of the claim and publication of notice by the auditor, the commissioners must examine into the merits of the claim and may, in their discretion, allow it, in whole or in part, as they find it to be just and owing.¹⁵⁵ The board cannot allow a claim that it previously disallowed.¹⁵⁶

A claim for materials and supplies will not be allowed unless accompanied by a certificate of the auditor showing that the goods mentioned in the claim correspond in quality and prices with the contract.¹⁵⁷ A claim on a contract for work to be conducted under the supervision of the county surveyor, or any architect, engineer, superintendent, or inspector appointed by the board of commissioners, must be accompanied by a certificate of the surveyor or such agent, showing that the work therein mentioned was performed according to contract and that the amount claimed is due and owing by the terms of the contract.¹⁵⁸ A claim based on a judgment or order of a court must be accompanied by a certified copy of such judgment or order.¹⁵⁹

¹⁵⁰ Acts 1919, 1920 (Spec. Sess.), 1921, 1927, 1935; Burns, 1938 suppl., 64-1331; Baldwin, 1935 suppl., 15735.

¹⁵¹ Acts 1899; Burns 26-515; Baldwin 5379. Acts 1879; Burns 26-1025, 26-1027; Baldwin 5348, 5352.

¹⁵² Acts 1899, 1903; Burns 26-524; Baldwin 5388.

¹⁵³ Acts 1899; Burns 26-523; Baldwin 5387. Acts 1899, 1935; Burns, 1938 suppl., 26-522; Baldwin, 1935 suppl., 5386.

¹⁵⁴ Acts 1899; Burns 26-525, 26-527; Baldwin 5389, 5391.

¹⁵⁵ Acts 1899; Burns 26-538, 26-804; Baldwin 5403, 5256. Acts 1879 (Spec. Sess.); Burns 26-805, 26-807; Baldwin 5254, 5256. Acts 1897; Burns 26-806, 26-809; Baldwin 5260, 5257. Acts 1931; Burns 26-816 to 26-819; Baldwin 5268 to 5271.

¹⁵⁶ Myers v. Givson, 152 Ind. 500, 53 N. E. 646.

¹⁵⁷ Acts 1899; Burns 26-538; Baldwin 5403.

¹⁵⁸ Acts 1899; Burns 26-539; Baldwin 5404.

¹⁵⁹ Acts 1911; Burns 26-814; Baldwin 5265.

For the amount allowed by the board of commissioners, the auditor, after appropriation by the county council, issues a warrant which is countersigned by the treasurer and paid by the treasurer or a public depository designated thereon by him.¹⁶⁰ An allowance not called for within five years may be cancelled.¹⁶¹ Preference in payment is given to claims for money advanced by any county officer for the use of the county pursuant to provisions of law or of any order of the board.¹⁶² However, no allowance can be made by the board of commissioners to one of its members for articles furnished by him to the county under a contract or otherwise.¹⁶³

In case of disallowance in whole or in part, the claimant may appeal to the circuit or superior court or bring an independent suit against the board. The claimant must pay the costs of the appeal if he does not recover more on the appeal than was allowed by the board.¹⁶⁴ No complaint other than the claim (including certificates and exhibits, if any) presented to the board is required on appeal.¹⁶⁵ If the board allows only a part of the claim, and the claimant accepts payment of the amount allowed, he cannot bring suit for the remainder.¹⁶⁶

In pursuance of appropriations by the county council,¹⁶⁷ courts make allowances against the county for expense of administration of justice.¹⁶⁸ Such allowances include fees of witnesses,¹⁶⁹ jurors,¹⁷⁰ master commissioners,¹⁷¹ sheriffs,¹⁷² bailiffs,¹⁷³ and salary of the court reporter¹⁷⁴ and his fees covering transcripts for poor persons.¹⁷⁵

Within ten days after adjournment of the session of the board of commissioners or of the court, at which allowances against the county are made, the auditor publishes notice showing all allowances made by the board or court. A warrant on an allowance by a court cannot be issued until three days after such publication.¹⁷⁶

CUSTODY AND DISBURSEMENT OF FUNDS

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The treasurer receives all money coming to the county, and dis-

¹⁶⁰ Acts 1911; Burns 26-813, 26-814; Baldwin 5264, 5265. Acts 1937; Burns, 1938 suppl., 61-627; Baldwin, 1937 suppl., 13844-48.

¹⁶¹ Acts 1879 (Spec. Sess.); Burns 26-815; Baldwin 5273.

¹⁶² 1 Rev. Stat. 1852; Burns 26-802; Baldwin 5252.

¹⁶³ Waymire v. Powell, 105 Ind. 328, 4 N.E. 866.

¹⁶⁴ Acts 1879 (Spec. Sess.), 1885; Burns 26-820; Baldwin 5275.

¹⁶⁵ Board of County Comrs. v. Wertz, 112 Ind. 268, 13 N.E. 874.

¹⁶⁶ Western Constr. Co. v. Board of County Comrs., 178 Ind. 684, 98 N.E. 347.

¹⁶⁷ Acts 1899; Burns 26-515, 26-527; Baldwin 5379, 5391.

¹⁶⁸ Acts 1879 (Spec. Sess.); Burns 49-1432, 49-1434; Baldwin 13127, 13128. Change of venue from county. Acts 1905; Burns 9-1312 to 9-1315; Baldwin 2233 to 2236.

¹⁶⁹ 1 Rev. Stat. 1852; Burns 9-2408; Baldwin 1306.

¹⁷⁰ Acts 1881 (Spec. Sess.), 1913, 1927, 1933; Burns 4-3319; Baldwin 1277.

¹⁷¹ Acts 1881 (Spec. Sess.), 1903; Burns 4-3407; Baldwin 1286.

¹⁷² Acts 1895, 1905, 1915, 1919; Burns 49-1311; Baldwin 7570. Change of venue from county. Acts 1905; Burns 9-1315; Baldwin 2236.

¹⁷³ Acts 1921, 1935; Burns, 1938 suppl., 4-3107; Baldwin, 1935 suppl., 1256. Acts 1895, 1905, 1915, 1919; Burns 49-1311; Baldwin 7570. 2 Rev. Stat. 1852; Burns 49-2804; Baldwin 5496.

¹⁷⁴ Acts 1921, 1939; Burns, 1938 suppl., 4-3507; Baldwin, 1939 suppl., 1298-1.

¹⁷⁵ Acts 1893; Burns 4-3511; Baldwin 1300.

¹⁷⁶ Acts 1899; Burns 26-816; Baldwin 5268. Acts 1931; Burns 26-817; Baldwin 5269.

burses it on proper orders or warrants issued and attested by the auditor.¹⁷⁷

The board of finance has supervision of all public funds of the county and of the safekeeping and deposit thereof.¹⁷⁸ The board designates depositories for public funds, after inviting and receiving proposals from banks and trust companies.¹⁷⁹ The resignation of a depository becomes effective 30 days after notice thereof to the board.¹⁸⁰ Monthly statements are furnished by the depository to the board.¹⁸¹ All public funds paid into the county treasury must be deposited by the treasurer daily, in the name of the county, in one or more of such designated depositories. The treasurer must file with the secretary of the board each month a statement of the balance of funds, consistent with the statement furnished by the depository.¹⁸²

When the auditor draws a warrant, he charges it against the appropriation and particular fund under which it was drawn. Apportionment is made if more than one fund or appropriation is involved.¹⁸³ The number, date, amount, name of payee, and purpose of the order or warrant are entered in a book.¹⁸⁴ The auditor examines and settles all accounts and demands chargeable against the county which no law requires to be settled and allowed by some other tribunal or person.¹⁸⁵ Before issuing a warrant or quietus, the auditor must examine the account to ascertain whether it is correct and in proper form; and for this purpose may require the furnishing of information, vouchers, and exhibits sufficient to satisfy himself.¹⁸⁶

On claims (including claims on judgments) allowed by the board of commissioners, the auditor issues his warrant. But a warrant may be issued to pay a judgment, or for management of the school fund, insanity inquests, or salaries or other liabilities for specific amounts fixed by law, without there being a claim therefor allowed by the board of commissioners.¹⁸⁷ Orders not called for within five years after allowance of claim on which drawn may be cancelled by the board of commissioners, if not called for after publication of notice.¹⁸⁸

Warrants drawn by the auditor on the treasurer must be accompanied by a carbon copy thereof, except as to funds of the state and

¹⁷⁷ Acts 1899, 1935; Burns, 1938 suppl., 26-522; Baldwin, 1935 suppl., 5386. 1 Rev. Stat. 1852; Burns 49-3103; Baldwin 5550. Acts 1937; Burns, 1938 suppl., 61-627; Baldwin, 1937 suppl., 13844-48.

¹⁷⁸ Acts 1937; Burns, 1938 suppl., 61-629; Baldwin, 1937 suppl., 13844-50.

¹⁷⁹ Acts 1937; Burns, 1938 suppl., 61-634 to 61-636; Baldwin, 1937 suppl., 13844-55 to 13844-57.

¹⁸⁰ Acts 1937; Burns, 1938 suppl., 61-640; Baldwin, 1937 suppl., 13844-61.

¹⁸¹ Acts 1937; Burns, 1938 suppl., 61-638; Baldwin, 1937 suppl., 13844-59.

¹⁸² Acts 1937; Burns, 1938 suppl., 61-624; Baldwin, 1937 suppl., 13844-45.

¹⁸³ Acts 1899; Burns 26-544; Baldwin 5409.

¹⁸⁴ 1 Rev. Stat. 1852; Burns 49-3005; Baldwin 5419.

¹⁸⁵ *Ibid.*

¹⁸⁶ Acts 1909; Burns 60-215; Baldwin 13866.

¹⁸⁷ Acts 1897; Burns 26-809; Baldwin 5257. Acts 1911; Burns 26-813, 26-814; Baldwin 5264, 5265. 1 Rev. Stat. 1852; Burns 49-3005; Baldwin 5419. *Blue v. ex rel. Powell*, 210 Ind. 486, 1 N.E. (2d) 122.

¹⁸⁸ Acts 1879 (Spec. Sess.); Burns 26-815; Baldwin 5273.

township. If funds are available to pay the warrant, the treasurer, on presentation to him, detaches and retains the carbon copy, and countersigns the original and stamps thereon the name of the depository by which it is payable. The original warrant is delivered to the payee, and the amount thereof is paid to the payee by the depository on presentation and surrender of the warrant. For the convenience of the payee, the treasurer may pay cash to the holder, on taking an assignment of the warrant, in which event such warrant will be deposited by the treasurer in the depository in lieu of cash.¹⁸⁹ The treasurer must deduct any delinquent taxes owing by the payee.¹⁹⁰ If no funds are available to pay the warrant, the treasurer indorses thereon the words "not paid for want of funds" and the date of such presentment; and thereafter the warrant draws legal interest. Interest ceases when funds become available for payment and the treasurer or auditor publishes a call for redemption.¹⁹¹ Outstanding warrants are redeemed by the treasurer according to priority of time of presentment. Such warrants must be received in payment of county taxes without regard to such priority.¹⁹² When the treasurer redeems a warrant on which interest is due, he makes a notation thereon, and also in his account, showing the amount of interest paid.¹⁹³

Every public officer who receives or distributes public funds must keep a cashbook wherein there is entered daily, by item, all receipts of public funds. The book must be balanced daily, show funds on hand at the close of each day, and be kept open to public inspection.¹⁹⁴ The treasurer keeps records of all receipts and disbursements in a general account, and also in separate accounts for the separate appropriations and distinct funds. Current taxes are not entered on his account with the county until after his annual statement.¹⁹⁵ The treasurer keeps his books and office subject to inspection by the board of commissioners at any time; and at least once a year exhibits to the board the money in his office.¹⁹⁶ The treasurer makes out a report quarterly showing the amount of money in the county treasury and each distinct fund thereof. The report is examined by the board of commissioners at their next regular session.¹⁹⁷

The treasurer gives a receipt for all money paid to him, which receipt (except for taxes) must be deposited by the payor with the auditor, who gives a quietus for same.¹⁹⁸

The board of commissioners, at its first regular session each year, examines the books of the treasurer and auditor;¹⁹⁹ and makes out a statement of the receipts and expenditures for the previous calendar

¹⁸⁹ 1 Rev. Stat. 1852; Burns 49-3111; Baldwin 5558. Acts 1937; Burns, 1938 suppl., 61-627; Baldwin, 1937 suppl., 13844-48.

¹⁹⁰ Acts 1919; Burns 64-1506; Baldwin 15768.

¹⁹¹ Acts 1889; Burns 49-3007, 49-3008; Baldwin 5420, 5421. 1 Rev. Stat. 1852; Burns 49-3111; Baldwin 5558.

¹⁹² 1 Rev. Stat. 1852; Burns 49-3113; Baldwin 5560.

¹⁹³ 1 Rev. Stat. 1852; Burns 49-3112; Baldwin 5559.

¹⁹⁴ Acts 1937; Burns, 1938 suppl., 61-623; Baldwin, 1937 suppl., 13844-44.

¹⁹⁵ 1 Rev. Stat. 1852; Burns 49-3109; Baldwin 5554.

¹⁹⁶ 1 Rev. Stat. 1852; Burns 49-3110; Baldwin 5555.

¹⁹⁷ Acts 1895, 1913; Burns 49-1403; Baldwin 7578.

¹⁹⁸ 1 Rev. Stat. 1852; Burns 49-3104; Baldwin 5551.

¹⁹⁹ Acts 1897; Burns 26-636; Baldwin 5237.

year, and causes it to be published and posted.²⁰⁰ The treasurer makes complete settlements with the board of commissioners at its January session each year.²⁰¹ Settlements by the board of commissioners are not binding on the county where the officer has failed to account for any money received by virtue of his office or failed to perform any duty required of him by law.²⁰²

All taxes collected by the treasurer must be deposited in the depository as one fund, except where otherwise provided by law. Semiannually the treasurer settles with the state and the municipal corporations of the county for taxes collected for them. Before such settlements, he advances not exceeding 80 percent when request by the proper officer is made to the auditor and a warrant drawn by him.²⁰³

ADMINISTRATION OF JUSTICE

JUDICIAL SYSTEM

The judicial system of La Porte County is prescribed by the constitution and subsequent acts of the general assembly. The constitution vests the judicial power, so far as the counties are concerned, in the circuit court and "such other courts as the general assembly may establish."²⁰⁴ The constitution further provides for the election, by popular vote, of a clerk of the circuit court and a sheriff in each county²⁰⁵ and a prosecuting attorney in each judicial circuit.²⁰⁶

La Porte County has two courts—one circuit court and one superior court—each consisting of one judge elected by the voters.²⁰⁷ The county constitutes the territorial jurisdiction of these courts,²⁰⁸ which have concurrent original jurisdiction in all cases and proceedings at law and in equity, including criminal cases, divorce cases, juvenile matters, guardianships, probate of wills, and settlement of decedents' estates.²⁰⁹ They have appellate jurisdiction²¹⁰ to review decisions of justices of the peace,²¹¹ city courts,²¹² board of public works or board of park commissioners of any city in the county (or city council performing such functions),²¹³ board of

²⁰⁰ Acts 1899; Burns 26-546; Baldwin 5411.

²⁰¹ Acts 1899; Burns 26-531; Baldwin 5395. Formerly the settlement was in June. 1 Rev. Stat. 1852; Burns 49-3116; Baldwin 5563. The state board of accounts now requires that settlements be recorded in the monthly balance record of the auditor and treasurer.

²⁰² Acts 1879 (Spec. Sess.); Burns 26-637; Baldwin 5402.

²⁰³ Acts 1937; Burns, 1938 suppl., 61-626; Baldwin, 1937 suppl., 13844-5.

²⁰⁴ Const., art. 7, secs. 1, 8.

²⁰⁵ *Ibid.*, art. 6, sec. 2.

²⁰⁶ *Ibid.*, art. 7, sec. 11.

²⁰⁷ Const., art. 7, secs. 1, 8. Acts 1881 (Spec. Sess.); Burns 4-301; Baldwin 1395. Acts 1931; Burns 4-1203; Baldwin 1560.

²⁰⁸ Acts 1897, ch. 13, sec. 1. Acts 1931; Burns 4-1201; Baldwin 1556.

²⁰⁹ Acts 1881 (Spec. Sess.); Burns 4-303; Baldwin 1397. Acts 1931; Burns 4-1204; Baldwin 1563. Acts 1913, 1931, 1935, 1937; Burns, 1938 suppl., 9-2801; Baldwin, 1937 suppl., 1759.

²¹⁰ *Ibid.*

²¹¹ 2 Rev. Stat. 1852; Burns 5-1001; Baldwin 1931. Acts 1907; Burns 4-1709; Baldwin 1625. Acts 1921; Burns 4-1803; Baldwin 1660.

²¹² Acts 1905; Burns 4-2415; Baldwin 2390. Acts 1917; Burns 4-2603; Baldwin 11608. Acts 1921; Burns 4-2702; Baldwin 12172. Acts 1923; Burns 4-2802; Baldwin 12336.

²¹³ Acts 1933; Burns 48-4501; Baldwin 11576.

commissioners,²¹⁴ board of review fixing value of property for taxation,²¹⁵ and other inferior tribunals when no express direction is given as to the court to which the appeal lies.²¹⁶ The circuit court and superior court are each known as the "Juvenile Court" when acting in juvenile cases.²¹⁷

The only judiciary of minor jurisdiction in La Porte County are the justices of the peace, elected by the voters in each township.²¹⁸ The civil jurisdiction of the justice of the peace is limited to his township, but the criminal jurisdiction is co-extensive with his county.²¹⁹ The justices must pay to the county treasurer all fines which they collect.²²⁰

The clerk of the circuit court acts as clerk of the superior court.²²¹ The sheriff executes the process of the circuit court and superior court and preserves order in said courts;²²² constables perform similar duties for the justices of the peace.²²³ The prosecuting attorney acts as attorney for the state in criminal cases and as attorney for the county and state in civil cases.²²⁴

Formerly a jury was used in coroner's inquests, but such juries were abolished in 1879.²²⁵ Under the present system, coroners act in a non-judicial capacity when holding inquests.²²⁶

An act of 1939, not effective until June 30, 1939, creates a magistrate's court consisting of two or more magistrates. The court will have jurisdiction throughout the county in cases of petty offenses under the state laws and all offenses under traffic ordinances, and will supersede the jurisdiction of justices of the peace and mayors over traffic offenses.²²⁷

ENFORCEMENT OF CRIMINAL LAWS

Investigations of alleged violations of criminal law are conducted by the prosecuting attorney,²²⁸ the sheriff,²²⁹ or the coroner,²³⁰ co-operating with one another and with state and Federal bureaus of law enforce-

²¹⁴ 1 Rev. Stat. 1852; Burns 26-901; Baldwin 5277. Acts 1879 (Spec. Sess.), 1885; Burns 26-820; Baldwin 5275. Acts 1905; Burns 36-1501; Baldwin 8858. Acts 1933; Burns 27-117; Baldwin 5753. State ex rel. Sink v. Circuit Court,— Ind.—, 15 N.E. (2d) 624.

²¹⁵ Acts 1927; Burns 64-1020; Baldwin 15686.

²¹⁶ Hamilton v. Fort Wayne, 73 Ind. 1.

²¹⁷ Acts 1903, 1913, 1931, 1935, 1937; Burns, 1938 suppl., 9-2801; Baldwin, 1937 suppl., 1759.

²¹⁸ Const., art. 7, sec. 14. Acts 1913; Burns 5-101; Baldwin 1828.

²¹⁹ 2 Rev. Stat. 1852; Burns 5-201; Baldwin 1857. Acts 1905; Burns 9-715; Baldwin 2084.

²²⁰ Acts 1881; Burns 5-1803; Baldwin 1874.

²²¹ Acts 1895, 1897, 1899; Burns 4-1209; Baldwin 1525.

²²² *Ibid.*; 2 Rev. Stat. 1852; Burns 49-2802, 49-2803; Baldwin 5494, 5495.

²²³ 2 Rev. Stat. 1852; Burns 5-601; Baldwin 2063. Acts 1905; Burns 9-710; Baldwin 2081. 2 Rev. Stat. 1852; Burns 49-3401, 49-3403, 49-3407; Baldwin 16116, 16119, 16122.

²²⁴ Acts 1895, 1897, 1899; Burns 4-1209; Baldwin 1525. 2 Rev. Stat. 1852; Burns 49-2501, 49-2504; Baldwin 5456, 5460.

²²⁵ Acts 1817-18 (general), ch. 20. Acts 1879 (Spec. Sess.); Burns 49-2907; Baldwin 5441.

²²⁶ Stults v. Board of County Comrs., 168 Ind. 539, 81 N.E. 471.

²²⁷ Acts 1939, ch. 164.

²²⁸ 2 Rev. Stat. 1852; Burns 49-2503; Baldwin 5459.

²²⁹ 2 Rev. Stat. 1852; Burns 49-2802; Baldwin 5494.

²³⁰ 2 Rev. Stat. 1852, Acts 1871, 1879 (Spec. Sess.), 1935; Burns, 1938 suppl., 49-2904; Baldwin, 1935 suppl., 5439.

ment;²³¹ and the results of such investigations, if they point toward violations of the law, are presented to the grand jury by the prosecuting attorney.²³²

The prosecuting attorney or his deputy may appear before the grand jury for the purpose of interrogating witnesses or giving information relative to any matter cognizable by it or giving requested advice on any legal matter, but he cannot be present during the deliberations of the grand jury.²³³ The grand jury consists of six members,²³⁴ at least five of whom must concur in the finding of an indictment. When an indictment is found, it is endorsed by the foreman of the grand jury, "A true bill," and also signed by the prosecuting attorney.²³⁵

The prosecuting attorney conducts all prosecutions for felonies²³⁶ and misdemeanors charged in indictments returned by the grand jury. He may also prosecute on affidavit all public offenses other than treason and murder.²³⁷

Actual enforcement of criminal law in the county is entrusted to the sheriff and the coroner, both officers having existed in La Porte County since its organization.²³⁸ As law enforcement officers, they have identical power and duties;²³⁹ in practice, however, the coroner performs few of these duties, except in the absence or incapacity of the sheriff. These officers make arrests in accordance with warrants issued by courts having criminal jurisdiction or by the clerk of the circuit court and based on indictments returned by the grand jury or affidavits filed with the courts.²⁴⁰ Writs of arrest may also be issued by the coroner, when the results of an inquest indicate that murder was committed.²⁴¹ Arrest without warrant can be made for a felony, where the arresting officer has reliable information of the commission of the crime by the person arrested; and arrest without warrant can be made for a felony or misdemeanor committed within view of the arresting officer.²⁴² A warrant issued to the sheriff of the county in which the indictment was found or the affidavit was filed may be executed by him in any county of the state.²⁴³

The constitution provides that all judicial officers shall be conservators of the peace in their respective jurisdictions,²⁴⁴ and that all criminal

²³¹ Acts 1927; Burns 9-2603 to 9-2610; Baldwin 15353 to 15355, 15357 to 15361.

²³² Acts 1905, 1927; Burns 9-806, 9-901; Baldwin 2102, 2123, 2131.

²³³ Acts 1905; Burns 9-826; Baldwin 2122.

²³⁴ Acts 1905; Burns 9-801; Baldwin 2097.

²³⁵ Acts 1905; 9-901; Baldwin 2123.

²³⁶ 2 Rev. Stat. 1852; Burns 49-2504; Baldwin 5460.

²³⁷ Acts 1905, 1927; Burns 9-908; Baldwin 2123.

²³⁸ Both were established by the Constitution of 1816, art. 4, sec. 25, and re-established by the present constitution, art. 6, sec. 2.

²³⁹ 2 Rev. Stat. 1852, Acts 1933; Burns 49-2901; Baldwin 5436.

²⁴⁰ Acts 1881 (Spec. Sess.); Burns 3-302; Baldwin 725.

²⁴¹ 2 Rev. Stat. 1852; Burns 49-2914; Baldwin 5448.

²⁴² *Doering v. State*, 49 Ind. 56, 19 Am. Rep. 669; *Hart v. State*, 195 Ind. 384, 145 N.E. 449.

²⁴³ Acts 1905, 1937; Burns, 1938 suppl., 9-1001; Baldwin, 1937 suppl., 2134.

²⁴⁴ Const., art. 7, sec. 15.

prosecutions shall be carried on in the name, and by the authority of the state.²⁴⁵

The county jail is maintained by the county,²⁴⁶ the sheriff being responsible for its management.²⁴⁷ Inspection or investigation is made by the grand jury at the beginning of each regular session,²⁴⁸ and by the board of commissioners every three months.²⁴⁹

EDUCATION

The public school system of Indiana began with the Ordinance of 1787.²⁵⁰ The first financial support for a public school system came from sale of lands of section 16 of each congressional township.²⁵¹

In 1816, the congressional township fund was provided for the development of the public school system. The fund was composed of the proceeds of the sale of the lands of section 16 in every congressional township.²⁵² The fund was not very well handled during these years, and the public schools were allowed to struggle on as well as they could.²⁵³

The constitution states that the general assembly shall encourage and provide for a general and uniform system of common schools.²⁵⁴ There are, however, three types of school organizations. The schools that are commonly known as county schools are, in reality, township schools and are operated by the township trustee. There are also town and city schools. These are operated in a similar manner by school boards.

The county superintendent, who is elected by the township trustees, has charge of each township institute, aids the trustee in the supervision of the township schools, and carries out all orders and instructions of the state superintendent of public instruction and the state board of education.²⁵⁵ He has no supervision of city or town schools.²⁵⁶

The township trustees, the county superintendent, and the chairman of the school trustees of each city and town in the county compose the county board of education. However, the city and town trustees do not take an active part in the business of the board. The board meets semi-annually and considers the general needs of the schools.²⁵⁷

Attendance is compulsory in all the schools in the county for every child between the ages of seven and sixteen. Exceptions are based on physical or mental condition and on court decisions.²⁵⁸

²⁴⁵ *Ibid.*, sec. 18.

²⁴⁶ 1 Rev. Stat. 1852; Burns 13-1001; Baldwin 13448.

²⁴⁷ 1 Rev. Stat. 1852; Burns 13-1004; Baldwin 13453.

²⁴⁸ 1 Rev. Stat. 1852; Burns 13-1002; Baldwin 13449.

²⁴⁹ Acts 1909; Burns 13-1008; Baldwin 13460.

²⁵⁰ Ordinance 1787, art. 3.

²⁵¹ 3 U. S. Stat. 289, sec. 6 (1); Burns, vol. 1, p. 302.

²⁵² *Ibid.*

²⁵³ Logan Esarey, *History of Indiana* (1924), 2:679, sec. 122.

²⁵⁴ Const., art. 8, sec. 1.

²⁵⁵ Acts 1899, 1911, 1913; Burns 28-702, 28-704; Baldwin 5931, 5938.

²⁵⁶ Acts 1899; Burns 28-705; Baldwin 5940.

²⁵⁷ Acts 1873, 1877; Burns 28-801; Baldwin 5983. Interview with Grover Van Duyn, assistant state superintendent of public instruction.

²⁵⁸ Acts 1921; Burns 28-505; Baldwin 6698.

The Constitution of 1851 established the common school fund²⁵⁹—composed of the Congressional township fund, the lands belonging thereto; the United States surplus revenue; the bank tax fund; the saline fund and the lands belonging thereto; the funds to be derived from the sale of county seminaries; fines and forfeitures; and the proceeds from the sales of all lands that belonged to the state in 1851.²⁶⁰

The constitution further provided that the principal of the common school fund would remain a perpetual fund and be invested so that it might increase but never diminish; and that only the interest earned by the fund may be expended.²⁶¹ The general assembly was given the right to invest all funds that were not already under the supervision of the counties; and they were to distribute the interest to the counties.²⁶² Interest at the rate of five per cent is charged on the common school fund and on the Congressional township fund. For the school year of 1937-38, La Porte County received a total of \$15,621.93 from the interest on the common school fund from the funds managed by the state.²⁶³ These funds are for tuition purposes of the school.

Since 1865, the funds managed by the county have been kept in two separate funds by the county auditor.²⁶⁴ Each county is held liable for the preservation of the funds entrusted to it, and for the payment of the annual interest.²⁶⁵

In 1933, the general assembly began a plan for state aid to the schools. There are three main sources of funds that are returned to the county.

From the general fund, though based on revenue collected by the gross income tax, the state supplies the county with tuition support of not less than \$700 annually for each teaching unit of 35 pupils in average daily attendance in grades one to eight, and for each unit of 25 pupils in average daily attendance in grades nine to twelve.²⁶⁶ The total amount received by La Porte County from this source during the 1937-38 school year was \$231,700.²⁶⁷

From the moneys collected by the excise tax on alcoholic beverages, one-third is distributed to the school corporations on the basis of average daily attendance (which took the place of the enumeration).²⁶⁸ La Porte County received \$12,902.87 from this source for the school year 1937-38.²⁶⁹

A state stamp tax on intangible property has further provided financial aid to the schools. The money is collected and held separate from the general fund. Of the total amount, 10 percent is kept by the

²⁵⁹ Const., art. 8, secs. 2-7.

²⁶⁰ Const., art. 8, sec. 2; Acts 1865; Burns 28-101; Baldwin 6499.

²⁶¹ Const., art. 8, sec. 3.

²⁶² Const., art. 8, sec. 4.

²⁶³ *Annual Report of the State Superintendent of Public Instruction*, 1937-38.

²⁶⁴ Acts 1865; Burns 28-106; Baldwin 6512.

²⁶⁵ Const., art. 8, sec. 6; Burns 28-104; Baldwin 6499-1.

²⁶⁶ Acts 1933, 1935, 1937; Burns 28-1001, 28-1002; Baldwin 6502, 6503.

²⁶⁷ *Annual Report of the State Superintendent of Public Instruction*, 1937-38.

²⁶⁸ Acts 1935; Burns 12-811; Baldwin 3764-40f.

²⁶⁹ *Annual Report of the State Superintendent of Public Instruction*, 1937-38.

state for the expense of administering that tax, and the remaining amount is apportioned to the counties in the proportion that the assessed valuation of real property in each county bears to the aggregate assessed valuation of real property in the state. The county then retains for its general fund one-fourth of the amount received and distributes the remainder to the school taxing units. Apportionment among such units is based on assessed valuation of real property of the county.²⁷⁰ For the school year 1937-38 the school taxing units of La Porte County received \$22,545.20 from this source.²⁷¹

In 1933 the common school relief fund was established for the purpose of aiding schools to continue in operation. The fund is derived from a seven-cent tax levy on each \$100 of taxable property real or personal, and a pool tax of 50 cents on each taxable poll.²⁷² The money received must first be used to pay any unpaid items of operating expenses; and any surplus must be used for the operating expenses of the current year.²⁷³ La Porte County, in the school year of 1937-38, received \$14,061.80 from this fund.²⁷⁴

PUBLIC WORKS AND PROPERTY

The board of commissioners has power: To make orders respecting the property of the county in conformity to law; to sell the public grounds of the county on which public buildings are situated, and to purchase in lieu thereof, in the name of the county, other grounds in the county seat on which such buildings shall be erected; to purchase other lands for the enlargement of the public square, and to take care of and preserve such property; to grant licenses, permits, or franchises with respect to the use of the property of the county.²⁷⁵

ROADS AND BRIDGES

The board of commissioners has power to construct and maintain roads²⁷⁶ and bridges.²⁷⁷ The county may render financial assistance to the state highway commission in the construction of any state highway located wholly within the county, and any bridge (on such highway) over a stream forming the county boundary.²⁷⁸

The county surveyor ordinarily prepares the plans and specifications for, and has general supervision of, the construction of roads and

²⁷⁰ Acts 1933; Burns 64-922; Baldwin 15920.

²⁷¹ *Annual Report of the State Superintendent of Public Instruction*, 1937-38.

²⁷² Acts 1933; Burns 28-901; Baldwin 6431.

²⁷³ Acts 1933, 1935; Burns, 1938 suppl., 28-907; Baldwin 6437.

²⁷⁴ *Annual Report of the State Superintendent of Public Instruction*, 1937-38.

²⁷⁵ 1 Rev. Stat. 1852, Acts 1935; Burns, 1938 suppl., 26-620; Baldwin, 1935 suppl., 5236.

²⁷⁶ Acts 1905, 1907; Burns 36-201 *et seq.*; Baldwin 8756 *et seq.* Acts 1919; Burns 36-301 *et seq.*; Baldwin 8859 *et seq.* Acts 1907; Burns 36-401 *et seq.*; Baldwin 8992 *et seq.* Acts 1919; Burns 36-501 *et seq.*; Baldwin 8879 *et seq.* Acts 1923; Burns 36-1001; Baldwin 9020. Acts 1905; Burns 36-1204; Baldwin 8807. Acts 1905; Burns 36-1301 *et seq.*; Baldwin 8787 *et seq.* Acts 1921; Burns 36-1401 *et seq.*; Baldwin 8904 *et seq.*

²⁷⁷ Acts 1905, 1907, 1929; Burns 36-1901; Baldwin 9236. Acts 1905, 1911, 1913; Burns 36-2001; Baldwin 9191. Acts 1903, 1923; Burns 36-2002; Baldwin 9192. Acts 1920; Burns 36-2401 *et seq.*; Baldwin 9151 *et seq.*

²⁷⁸ Acts 1923, 1929; Burns 36-136 to 36-141; Baldwin 8672 to 8675, 8678, 8679.

bridges. If he is not a competent civil engineer, the board may appoint a competent civil engineer to perform such duties.²⁷⁹

The county surveyor, or a highway supervisor (other than the surveyor) appointed by the board, has general supervision of the maintenance and repair of all roads, bridges, and culverts which are maintained from the highway fund of the county.²⁸⁰ He makes maps of all county roads, gives each road a name or number, so that the roads may be efficiently patrolled for making repairs.²⁸¹ Weeds must be cut and removed each year between June 15 and September 1.²⁸²

All expenses incurred in the maintenance, repair, and preservation of county roads must be paid out of funds received by the county from the motor vehicle highway account of the state; and no tax can be levied for such purpose except by the unanimous vote of the county council in case of extraordinary emergency or indispensable necessity.²⁸³

DRAINAGE

Drainage districts and special assessment liens on the land in the benefited area, to pay the drainage, may be established by the circuit court or superior court on petition of land owners, after reference to the surveyor.²⁸⁴

The county surveyor has general supervision of the construction and maintenance of all ditches, drains, and levees. He makes all necessary surveys, maps, plans, and specifications when courts grant petitions for construction.²⁸⁵ The law requires that open ditches be cleaned out and repaired biennially, and that weeds, willows, and debris be removed therefrom annually, and that public tile drains be repaired whenever necessary.²⁸⁶

The board of commissioners may, by purchase or eminent domain, acquire lands and rights necessary to obtain a right-of-way for drainage or easement for sewers, when necessary for the proper maintenance of any county building or institution.²⁸⁷

PUBLIC BUILDINGS

The law provides that the board of commissioners must cause a courthouse, jail, and public offices for the clerk, recorder, treasurer and auditor to be erected and furnished, where the same has not been done; and must keep all the public buildings of the county in repair; and that such offices must be fireproof, if practicable.²⁸⁸

²⁷⁹ 1 Rev. Stat. 1852; Acts 1911; Burns 49-3309; Baldwin 5508.

²⁸⁰ Acts 1933; Burns 36-1102, 36-1110; Baldwin 8700, 8078.

²⁸¹ Acts 1933; Burns 36-1109; Baldwin 8077.

²⁸² Acts 1939, ch. 140, sec. 1.

²⁸³ Acts 1932 (Spec. Sess.); Burns 36-905; Baldwin 8715. Acts 1937, 1939; Burns, 1939 suppl., 36-2804; Baldwin, 1939 suppl., 8695-4. Acts 1937; Burns, 1938 suppl., 36-2806; Baldwin, 1937 suppl., 8695-6.

²⁸⁴ Acts 1933; Burns 27-104, 27-109, 27-116, 27-134; Baldwin 5740, 5745, 5752, 5770.

²⁸⁵ Acts 1933; Burns 27-101, 27-201; Baldwin 5737, 5775. 1 Rev. Stat. 1852; Acts 1911; Burns 49-3309; Baldwin 5508.

²⁸⁶ Acts 1933, 1935; Burns, 1938 suppl., 27-203, 27-210; Baldwin, 1935 suppl., 5777, 5784. See Acts 1939, ch. 68.

²⁸⁷ Acts 1937; Burns, 1938 suppl., 26-640; Baldwin, 1937 suppl., 5236-6.

²⁸⁸ 1 Rev. Stat. 1852; Burns 26-624; Baldwin 5240.

For the purpose of acquiring a new courthouse, the board, without appraisement and without authority from the county council, may sell to the state any lands of the county containing public buildings, and buy other land for courthouse grounds. The proceeds of sale can be used only for such purpose. Additional funds for such purpose may be raised by issuing bonds or notes.²⁸⁹

If the courthouse or jail is wholly or partly destroyed by fire or windstorm, it may be reconstructed or repaired by the board, and bonds issued therefor, and a tax levied to pay for the bonds.²⁹⁰

County buildings, not needed by the courts or for county business, may be leased to the city or town in which such buildings are located for a term not exceeding 10 years in any one lease,²⁹¹ or to private persons or corporations for a term not exceeding five years.²⁹²

The board may construct and maintain public halls, and provide a custodian, janitor, lights, and heat therefor; and may join with a city for such purpose, or sell such halls to a city or town.²⁹³ The board may erect soldiers' monuments²⁹⁴ and memorial buildings.²⁹⁵

SOCIAL SERVICE

Since the beginning of the twentieth century, the functions of government have become more concerned with the sociological aspects of our society. As a result of this development, we have a complicated system of laws dealing with health and sanitation; assistance to the poor, aged, and crippled; aids to agriculture; inspection of commodities; and traffic control of county highways.

HEALTH

The county has a part-time health officer,²⁹⁶ who is responsible to the board of commissioners and the state board of health.²⁹⁷ This local officer is really the agent of the state health officers; and, as such, he performs the duties of local health administration.

As an aid to the prevention of the pollution of water courses,²⁹⁸ the health officer sends samples of water to the state laboratory for inspection. The county health officer serves as an inspector, under direction²⁹⁹ of the state board, in cases of questionable foods and drugs. He endeavors to promote sanitary conditions for the sale of food.³⁰⁰

It is the duty of the local health officer to abate conditions promoting diseases;³⁰¹ to disinfect public conveyances;³⁰² to order the vaca-

²⁸⁹ Acts 1917, 1920 (Spec. Sess.); Burns 26-2201 to 26-2210; Baldwin 5165 to 5174.

²⁹⁰ Acts 1935; Burns, 1938 suppl., 26-2011; Baldwin, 1935 suppl., 5240-1.

²⁹¹ Acts 1909; Burns 26-1801 to 26-1804; Baldwin 5151 to 5154.

²⁹² Acts 1919; Burns 26-1805 to 26-1810; Baldwin 5155 to 5160.

²⁹³ Acts 1903; Burns 26-1901 to 26-1906; Baldwin 5146 to 5164.

²⁹⁴ Acts 1865, 1891; Burns 26-1701; Baldwin 5298.

²⁹⁵ Acts 1913; Burns 26-1707; Baldwin 5132.

²⁹⁶ Acts 1935; Burns, 1938 suppl., 35-118; Baldwin, 1935 suppl., 8404-1.

²⁹⁷ Acts 1935; Burns, 1938 suppl., 35-123; Baldwin, 1935 suppl., 8404-6.

²⁹⁸ Acts 1909; Burns 35-201; Baldwin 8410.

²⁹⁹ Acts 1907; Burns 35-1207; Baldwin 8476.

³⁰⁰ Acts 1909; Burns 35-1009; Baldwin 8512.

³⁰¹ Acts 1891, 1909; Burns 35-111; Baldwin 8405.

³⁰² Acts 1903; Burns 35-410; Baldwin 8540.

tion of dwellings unfit for human habitation;³⁰³ to quarantine contagious and infectious diseases;³⁰⁴ to remove sick from hotels, boarding houses, and other buildings of like character;³⁰⁵ and to abate public nuisances.³⁰⁶

The state board distributes scarlet fever and tetanus antitoxin, antirabic virus, insulin,³⁰⁷ pneumonia serum, diphtheria toxoid, smallpox virus, and typhoid vaccine³⁰⁸ to the county, which pays for them and furnishes them to the poor free of charge.

Before the turn of the century, the maintenance of hospitals had been left largely to cities and private associations; but laws now provide for the establishment and maintenance of hospitals by the board of commissioners whenever they find need for them,³⁰⁹ on the petition of resident freeholders,³¹⁰ or in co-operation with private associations.³¹¹

VITAL STATISTICS

In Indiana the collection of vital statistics is supervised by the state board of health.³¹² The county health officer makes the collection of local data on forms supplied by the state board of health, and periodically turns over to the board reports of all records. The health officer collects statistics of births, deaths, marriages, and communicable diseases.³¹³

All birth reports are to be made to the health officer within 36 hours after birth. A child that lives and breaths after birth, no matter how brief the period, and regardless of the period of gestation, is a living child; and if he thereafter dies, his birth and death must be reported and recorded.³¹⁴

Deaths are reported as soon as possible because a body may not be buried until a burial permit has been made by the health officer in charge, and burial permits are not issued until the death certificate is completed. Burial may be made anywhere in the state regardless of the county in which the permit was issued. When a death occurs outside the state, and the body is brought into the state for interment, the burial permit must be based on the transportation permit, and no record of said death is required. If death has occurred by means of violence or criminal practices, the death notice is referred to the coroner.³¹⁵ The permit is preserved with the records of the cemetery.³⁰⁶

³⁰³ Acts 1917; Burns 35-1801; Baldwin 8563.

³⁰⁴ Acts 1903; Burns 35-403; Baldwin 8533.

³⁰⁵ Acts 1903; Burns 35-407; Baldwin 8537.

³⁰⁶ Acts 1891, 1909; Burns 35-111; Baldwin 18405.

³⁰⁷ Acts 1907, 1919, 1929, 1935; Burns, 1938 suppl., 35-701; Baldwin, 1935 suppl., 13392.

³⁰⁸ Acts 1939, ch. 5.

³⁰⁹ Acts 1903, 1939; Burns, 1938 suppl., 22-3201; Baldwin, 1939 suppl., 4507.

³¹⁰ Acts 1917, 1919, 1921, 1925, 1927, 1929; Burns 22-3215, 22-3216; Baldwin 4517, 4537.

³¹¹ Acts 1903, 1905; Burns 22-3202; Baldwin 4508.

³¹² Acts 1907, 1913; Burns 35-116; Baldwin 8399.

³¹³ Acts 1907, 1913; Burns 35-115; Baldwin 8398.

³¹⁴ Acts 1907, 1911, 1913; Burns 35-115, 35-901; Baldwin 8398, 8558. Rule 4 of state board of health.

³¹⁵ Acts 1907, 1913; Burns 35-115; Baldwin 8398. Rule 3 of state board of health.

³¹⁶ Acts 1939, ch. 142, sec. 21.

The clerk of the circuit court issues all marriage licenses, and makes a monthly report of all marriages to the county health officer. The health officer records each marriage in his record book, and sends a quarterly report to the state board of health. All marriages must be reported by the person performing same, within three days on official blanks, to the clerk of the circuit court of the county where the license was issued.³¹⁷

Weekly reports, provided by the United States Public Health Service, summarizing all communicable diseases are made by the local health officers to the state board of health. The report, stating such to be the case, is made even if there are no diseases to report.³¹⁸

The heads of all institutions, such as hospitals, poor asylums, and places of confinement are required to keep all statistics concerning the inmates and make reports directly to the state board of health as required by the board.³¹⁹

WEIGHTS AND MEASURES

Since 1852, the county has maintained standards of weights and measures.³²⁰ The inspector of weights and measures is charged with the responsibility of checking on all weights or measures used in the county in the sale or use of public commodities.³²¹ The inspector is dually responsible to the board of commissioners and to the state bureau of weights and measures.³²²

WELFARE ASSISTANCE

An important service is the administration of the Public Welfare Act. Welfare assistance is supervised by the county welfare board.³²³

Poor relief is administered by the township trustees. The county maintains an asylum for the poor.³²⁴ Residents of the county,³²⁵ paupers,³²⁶ and nonresidents requiring temporary relief³²⁷ may be placed therein. The law prohibits the keeping of children in the asylum.³²⁸ They must be placed in an orphans' home (there is no county institution).³²⁹ Anyone refused relief by a township trustee has a right to a hearing before the board of commissioners³³⁰ and to an appeal from the

³¹⁷ Acts 1907, 1913; Burns 35-115; Baldwin 8398. Rule 5 of state board of health.

³¹⁸ Acts 1907, 1913; Burns 35-115; Baldwin 8398. Rule 6 of state board of health.

³¹⁹ Acts 1907, 1913; Burns 35-117; Baldwin 8400.

³²⁰ 1 Rev. Stat. 1852; Burns 69-101.

³²¹ Acts 1925; Burns 69-106; Baldwin 16337.

³²² Acts 1925; Burns 69-104; Baldwin 16335.

³²³ Acts 1936 (Spec. Sess.), 1937; Burns, 1938 suppl., 52-1118; Baldwin, 1937 suppl., 14078-19.

³²⁴ Const., art. 9, sec. 3. 1 Rev. Stat. 1852; Burns 52-201; Baldwin 13360. Acts 1935; Burns, 1938 suppl., 52-146; Baldwin, 1935 suppl., 13320-3.

³²⁵ 1 Rev. Stat. 1852, Acts 1935; Burns, 1938 suppl., 52-201, 52-146; Baldwin, 1935 suppl., 13360, 13320-3.

³²⁶ Acts 1935; Burns, 1938 suppl., 52-151; Baldwin, 1935 suppl., 13320-8.

³²⁷ Acts 1935; Burns, 1938 suppl., 52-163; Baldwin, 1935 suppl., 13320-20.

³²⁸ Acts 1897, 1901; Burns 22-2608; Baldwin 4388.

³²⁹ Acts 1897; Burns 22-2605; Baldwin 4385.

³³⁰ Acts 1935; Burns, 1938 suppl., 52-160; Baldwin, 1935 suppl., 13320-17.

board to the circuit court.³³¹ The board of commissioners may borrow for poor relief, if the funds available are not sufficient.³³²

ELECTIONS

The constitution provides that all elections shall be free and equal, prescribes the length of residence required of an elector, designates the time of holding elections, and gives the general assembly power to provide for the registration of voters.³³³

All citizens of the United States, of the age of 21 years and upwards, resident in the state six months, in the township 60 days, and in the precinct 30 days, immediately preceding an election, are entitled to vote. Registration is required of all voters.³³⁴ There were 39,215 registered voters in La Porte County for the general election in November 1938.³³⁵

The board of commissioners participates in various ways in the conduct of elections. The more important functions of the board in that connection are those of establishing election precincts and changing their boundaries;³³⁶ providing rooms for polling places and equipping them with voting booths;³³⁷ and providing ballot boxes and/or voting machines for the several precincts.³³⁸

The registration officer (the clerk of the circuit court ex officio) conducts the registration of voters.³³⁹

Primary elections are held on the first Tuesday after the first Monday in May preceding the general elections.³⁴⁰ They are held under the supervision of the board of primary election commissioners, consisting of the clerk of the circuit court and two persons, of opposite political parties, appointed by him. This board prepares and distributes ballots for the primary elections,³⁴¹ and serves as the board of election commissioners at the general election for which nominations are made at the primary election.³⁴²

General elections are held biennially on the first Tuesday after the first Monday in November.³⁴³ County officers elected by the people are county commissioners, county councilmen, judges of the circuit and superior courts, prosecuting attorney, clerk of the circuit court, auditor,

³³¹ 1 Rev. Stat. 1852; Burns 26-901; Baldwin 5276.

³³² Acts 1935; Burns, 1938 suppl., 52-604; Baldwin, 1935 suppl., 13359-1.

³³³ Const., art. 2, secs. 1, 2, 14.

³³⁴ Acts 1933; Burns 29-301; Baldwin 7299.

³³⁵ *Year Book of the State of Indiana for the Year 1938* (1939), 1106.

³³⁶ Acts 1889, 1907; Burns 29-801; Baldwin 7089. Acts 1920 (Spec. Sess.); Burns 29-901; Baldwin 7091.

³³⁷ Acts 1897; Burns 28-1121; Baldwin 7135. Acts 1920 (Spec. Sess.); Burns 29-909; Baldwin 7154.

³³⁸ Acts 1901, 1903; Burns 29-2404; Baldwin 7352. Acts 1920 (Spec. Sess.); Burns 29-903; Baldwin 7148. See Acts 1939, ch. 113 (not effective at time of writing).

³³⁹ Acts 1933, 1935; Burns, 1938 suppl., 29-306; Baldwin, 1935 suppl., 7304.

³⁴⁰ Acts 1915, 1917; Burns 29-508; Baldwin 7194.

³⁴¹ Acts 1907, ch. 282, secs. 1, 13. Acts 1915, 1917; Burns 29-504; Baldwin 7190.

³⁴² Acts 1915, 1917; Burns 29-504; Baldwin 7190.

³⁴³ Acts 1881 (Spec. Sess.); Burns 29-701; Baldwin 7081.

treasurer, sheriff, coroner, recorder, surveyor, and assessor. These elections are held under the supervision of the board of election commissioners, which prepares and distributes the ballots.³⁴⁴

The board of canvassers consisting of the election commissioners,³⁴⁵ with the clerk of the circuit court acting as clerk,³⁴⁶ tabulates and compiles the election returns of the county,³⁴⁷ and files all data, canvass sheets, certificates, poll books and tally papers in the office of the clerk, who certifies the candidates elected.³⁴⁸

RECORD SYSTEM

The records of La Porte County began with its creation in 1832. The establishment of each of the county offices and bureaus inaugurated their records which were kept in such fashion as the incumbents saw fit, following in the main the directions of the general assembly under the provisions for each respective office. In 1909, the general assembly established the state board of accounts, which formulates, prescribes, and installs systems of accounting and reporting which are uniform for every public office of the same class.³⁴⁹

Whenever it may be necessary for the preservation of the records of any office, it is the duty of the board of commissioners to issue an order directing the officer in charge to copy and transcribe the records.³⁵⁰

In 1939, the general assembly created in each county a commission of public records. The commission must determine what public records (1) are no longer of official or historical value, or (2) have current official value and should be retained in the office where they are required to be filed, or (3) have official value but are consulted and used so infrequently that they are no longer of appreciable value to the officer with whom they are required to be filed, or (4) have no apparent official value but do have a historical value. Records of class 1 are destroyed three years after filing, unless the law requires that they be kept for a longer time or prohibits their destruction. Records of classes 3 and 4 are removed to the state library three years after filing, unless the officer in charge is using them frequently at that time.³⁵¹

3. HOUSING, CARE, AND ACCESSIBILITY OF THE RECORDS

After the establishment of La Porte County, court was held and county offices maintained in private residences, and the county had entered its second year of existence before the building of a courthouse was considered. In May 1833, the board of commissioners authorized

³⁴⁴ Acts 1889; Burns 29-1002; Baldwin 7109.

³⁴⁵ Acts 1905, 1927; Burns 29-1401; Baldwin 7377.

³⁴⁶ Acts 1905, 1927; Burns 29-1402; Baldwin 7378.

³⁴⁷ Acts 1905; Burns 29-1404; Baldwin 7380.

³⁴⁸ Acts 1905; Burns 29-1405; Baldwin 7381.

³⁴⁹ Acts 1909; Burns 60-202, 60-224; Baldwin 13855, 13875.

³⁵⁰ Acts 1877; Burns 26-634; Baldwin 5339.

³⁵¹ Acts 1939, ch. 91 (not effective at time of writing).

the county agent to entertain bids for a courthouse, leaving such details as "the time required to be built" and the terms of payment to his discretion;¹ and on August 21 of that year, they approved his contract with Simon G. Bunce, which called for \$3,975 in two installments.²

Completed in June 1835,³ the courthouse stood upon the same ground as its successors. It was built of brick and was 40' square and two stories in height; the first floor housed the county offices and the second floor, the courtroom. The roof was surmounted by chimneys at the four corners and by an elaborate cupola. The first story of this cupola was square, with a "suitable sized Urn" above each of its corners; the second story was octagonal and was roofed with a tin-covered dome; and above the dome was a spire, on which were impaled three balls of successively smaller diameters, spaced equidistantly, with the last ball at the tip of the spire.⁴

Elegant as the cupola was, there was some fundamental flaw in the construction of the courthouse. It may have been the shallow foundation or poorly laid brick, but, whatever the cause, the outside walls cracked and the ceiling of the courtroom sagged; whereupon the courthouse was drawn together by iron bars which passed through the building from side to side and were fastened on the outside to a "belt of timber . . . neatly dressed and painted so as to represent a stone belt." These bars passed across the courtroom floor and were noted for their ability to trip the unwary. The sagging ceiling of the courtroom was upheld by four columns, whose bases rested on the interior walls of the first story.⁵ In 1840, it was found that the cupola leaked, and \$55.68 was spent for repairs.⁶

As in many counties, the courthouse was used as a place of public gathering; the La Porte Lyceum regularly held meetings there.⁷ This eventually met with the disapproval of the board, who issued an order in July 1844:

"Whereas it is represented to this Board that the records in the different offices are much exposed to accidents by fire from the custom of allowing meetings of various kinds in the Court room. It is therefore ordered by the Board for the better security of said Records that said Court room be closed on evenings after sunset except for Court purposes . . ."

¹ Commissioners' Record, A:27.

² *Ibid.*, 56.

³ *Ibid.* In the absence of evidence to the contrary, the date specified in the contract is accepted as the date of completion.

⁴ Commissioners' Record, A:51-56.

⁵ *Ibid.*, 523. Cf. E. D. Daniels, *A Twentieth Century History and Biographical Record of La Porte County* (1904), 278.

⁶ Commissioners' Record, B:177, 193.

⁷ *The La Porte Herald*, November 5, 1836, p. 4. *La Porte County Whig*, June 5, 1844, p. 3.

⁸ Commissioners' Record, B:465.

In March 1847, apparently satisfied that the courthouse was no longer adequate, the commissioners offered a premium of \$50 for the best plan of a new courthouse;⁹ and in April they contracted with A. P. Andrews for two buildings to be used as offices for the clerk,



SECOND LA PORTE COUNTY COURTHOUSE, 1849-1891

recorder, treasurer, and auditor, who were relegated to temporary offices until their permanent quarters should be completed. The contractor for the buildings was to receive \$1,000 and the old courthouse as payment.¹⁰

⁹ *Ibid.*, C:85.

¹⁰ *Ibid.*, 86, 87.

The board was not satisfied with the courthouse plans submitted and dropped the matter until August, when West Darling, a commissioner, was sent to Chicago to procure suitable plans.¹¹ At the same time, the office buildings, each containing two rooms 40' by 14', were completed. They were located on the the east and west sides of the square; the east building housed the offices of the clerk and the recorder, and the west building, those of the treasurer and the auditor. An attempt was made at fireproof construction.¹²

Suitable plans having been secured and bids entertained, Luther Mann, Jr. was given the contract for the courthouse on his bid of \$9,861.¹³ The town of La Porte was authorized to make such alterations in the plans as would permit the basement to be used for a town hall (provided no expense to the county would be incurred)¹⁴ but did not avail itself of this opportunity.¹⁵

Court was held in the Christian Church after the wrecking of the old courthouse.¹⁶ The cornerstone of the new courthouse was laid in 1848,¹⁷ and the building was completed July 20, 1849.¹⁸ Because the county offices were housed separately, it was strictly what its name implies, a house for the court: A two-story brick building fronted with a portico with two columns, its interior consisting solely of a courtroom with galleries and jury rooms. The omnipresent cupola which surmounted the building was equipped with a clock and weathervane.¹⁹

The serenity of the scene was disturbed by the presence of livestock in the streets and even in the public square. The common council of La Porte, in 1849, passed "An Ordinance to prevent Hogs and Pigs from running at large in the Town of La Porte." Commenting upon this, the editor of the *La Porte County Whig* said: "Hitherto, the bristly population of our town have been so largely in the majority, that in addition to the streets and alleys, they have monopolized our gardens."²⁰ The ordinance apparently was not effective, for in May 1857, the board ordered "that A. J. Wair, Auditor, be required to employ some suitable person to repair the fence and gates around the Court House square, so as to keep out all animals that will injure the grass or trees in the yard, also to prohibit turning in of stock of any kind hereafter";²¹ and further, that "Patrick Lines and Patrick Kelley be allowed \$3.75 for work done about the Court house square—clearing off the rubbish &c."²²

¹¹ *Ibid.*, 115, 116, 119.

¹² *Ibid.*, 86, 118. Daniels, *op. cit.*, 281, 282.

¹³ Commissioners' Record, C:149. Daniels, *op. cit.*, 281.

¹⁴ Commissioners' Record, C:149.

¹⁵ Daniels, *op. cit.*, 281.

¹⁶ Commissioners' Record, C:135.

¹⁷ The cornerstone is now set in an interior wall on the first floor of the present courthouse.

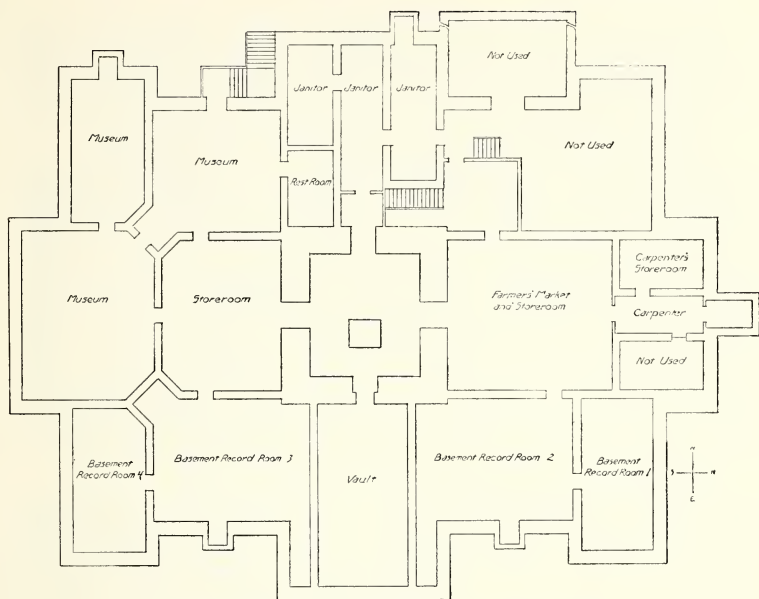
¹⁸ Daniels, *op. cit.*, 281.

¹⁹ Daniels, *op. cit.*, 281.

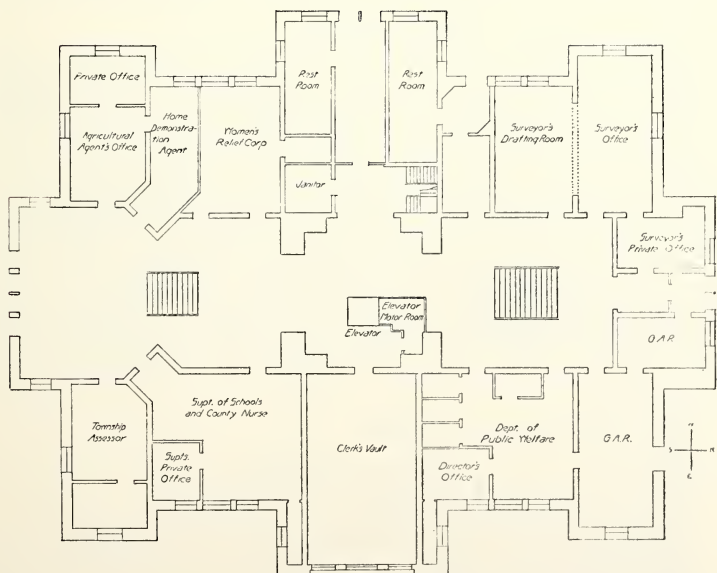
²⁰ *La Porte County Whig*, April 28, 1849.

²¹ Commissioners' Record, D:418.

²² *Ibid.*, 419.



BASEMENT, LA PORTE COUNTY COURTHOUSE



FIRST FLOOR, LA PORTE COUNTY COURTHOUSE

Early in the 1890's, the courthouse and offices were condemned, and the commissioners undertook the planning of the present courthouse. The old buildings were sold at public auction, except the bell and certain other specified fixtures, on October 24, 1891, with the stipulation that the purchaser should remove the buildings within sixty days.²³

Three months after contracting for the first courthouse, the county advertised for bids for the first jail; the jail was completed November 1, 1834, at a cost of \$460.²⁴ It was a timber structure with a brick foundation, and was 22' in length, 16' in width, and two stories in height. The first-story walls were triple—the inside walls of white oak, the center, of upright hickory poles, and the outside, also, of white oak—while the upper walls were a single thickness of white oak; the joints in the timbers were dovetailed and doweled for better security. Prisoners were conducted up an outside stairway and through a door which opened into the second story—a mighty door of a double thickness of white oak planks with sheet-iron sandwiched between them—and admitted through a trap-door in the floor to the first story.²⁵

In spite of its ruggedness, it was not entirely secure: Two prisoners sawed their way through the floor, knocked a hole in the brick foundation, and escaped; and in 1840 the sheriff was ordered to sell "a rifle gun . . . taken from a prisoner who otherwise broke jail and absconded."²⁶ Four years later, the county offered a prize of \$10 for plans of a combined jail and sheriff's residence. Satisfactory plans were received, the contract was let on July 12, for \$1,559.64, and the building was completed March 4, 1845.²⁷

Little is known of this jail, save that it was a two-story frame structure with two cells in the lower story and two rooms in the upper, and that it was not much safer than its predecessor.²⁸ It was strengthened, however, in 1845, with 30 iron bars and 11 white oak planks,²⁹ and in 1848 the grand jury reported that it was "sufficient for the safe-keeping of prisoners," though there was not "sufficient ventilation for their convenient accommodation and health."³⁰ The commissioners remedied this by ordering the sheriff to keep the windows open whenever he thought it safe to do so.³¹ At that time, food, clothing, washing, and other commodities and services were furnished to the prisoners by private individuals, who then applied to the county for reimbursement: "Ordered by the Board that John Clarkson be allowed the Sum of eleven dollars for services rendered criminals",³² "that King & Co. be

²³ *Ibid.*, M:12.

²⁴ *Ibid.*, A:75. Daniels, *op. cit.*, 293, 294.

²⁵ *Ibid.*, 75-79.

²⁶ Daniels, *op. cit.*, 294. Commissioners' Record, B:132.

²⁷ Commissioners' Record, B:424, 450, 495.

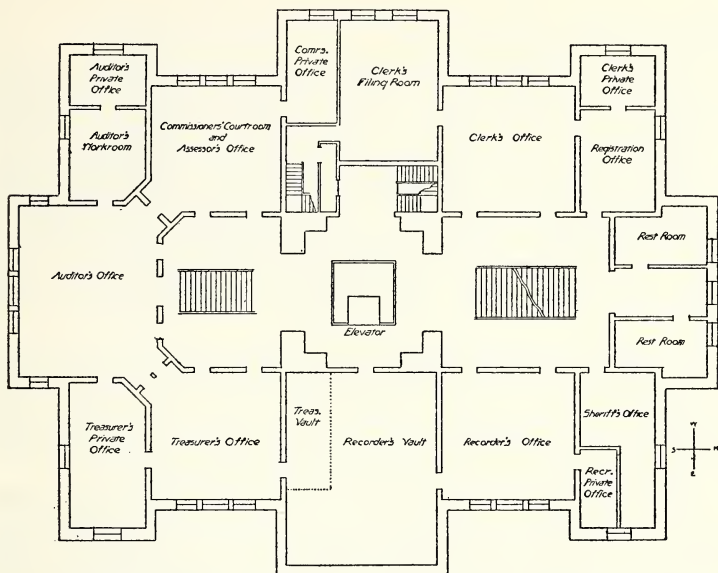
²⁸ *Ibid.*, 426. Daniels, *op. cit.*, 294.

²⁹ Commissioners' Record, B:556.

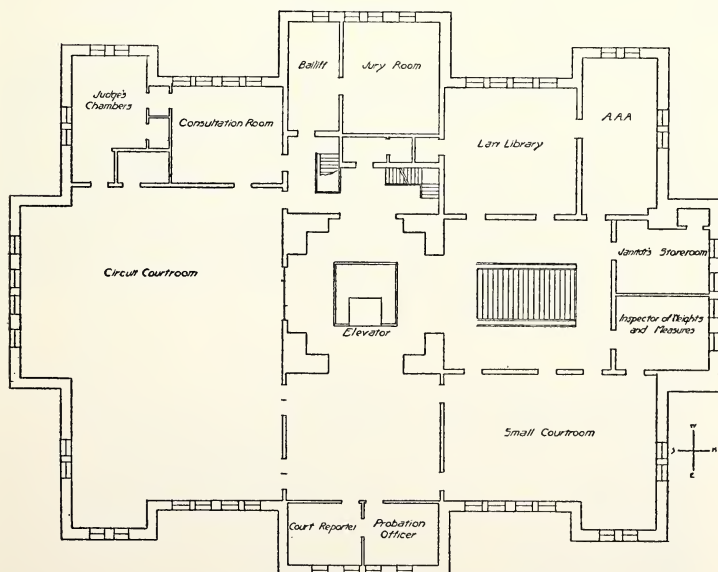
³⁰ Order Book, F:480.

³¹ Commissioners' Record, C:226.

³² *Ibid.*, B:402.



SECOND FLOOR, LA PORTE COUNTY COURTHOUSE



THIRD FLOOR, LA PORTE COUNTY COURTHOUSE

allowed the sum of thirty eight cents for 1 pr. of socks for . . . a prisoner in County prison . . ."³³

In 1855, the board of commissioners sent a representative to several cities to inspect the jails there. On his return, he reported that he had examined the jails of Chicago, Lafayette, and Indianapolis, and that the latter was the only one worthy of imitation but would be too expensive; he stated, however, that he had suitable plans.³⁴ After some delay, the jail was built in accordance with those plans; it was finished in 1857³⁵ and gave fair satisfaction until 1910, when the present jail was completed. It is said that the second jail was bought by the town, which moved it to another site and used it as a town jail for some years.³⁶

A citizens' committee urged the erection of a new jail on February 3, 1908, and again, on February 7.³⁷ A stone structure, it was built by E. Burner & Co., under the supervision of Foltz and Parker, architects, at a cost of \$60,000.³⁸ The old jail was sold in June 1910, with the stipulation that it was to be removed from the premises.³⁹

After studying various plans for a new courthouse, the board finally adopted a suitable one and appointed B. S. Tolan, the architect, superintendent of construction.⁴⁰ The contract was let on January 28, 1892, to Charles A. Moses, for \$197,244.00,⁴¹ but the building complete with furnishings cost over \$300,000. The cornerstone was laid June 30, 1892, and the courthouse was completed two years later.⁴² Built of "Portage Entry Red Stone,"⁴³ it is 144' in length, 114' in width, and 70' in height from the ground to the crest of the roof, above which a clock tower rises 100' higher.⁴⁴

No major alterations were made until 1937, when it was decided to improve the courthouse and grounds and to build fireproof vaults for the records, under the auspices of the Federal Emergency Relief Administration. Bonds to the amount of \$31,000 were floated and a contract was let for \$45,207; but "extras" increased that sum by \$1,157. The work was completed November 8, 1937.⁴⁵ The three vaults, which were the major undertaking, are located in the basement and the first and second stories; the clerk's vault is located directly above the basement vault, and the second floor vault directly above the clerk's. These are given further discussion below.

³³ *Ibid.*, C:130.

³⁴ *Ibid.*, D:293.

³⁵ *Ibid.*, 460.

³⁶ Daniels, *op. cit.*, 294.

³⁷ Commissioners' Record, Q:199.

³⁸ *Ibid.*, 305.

³⁹ *Ibid.*, 543.

⁴⁰ *Ibid.*, M:52-61.

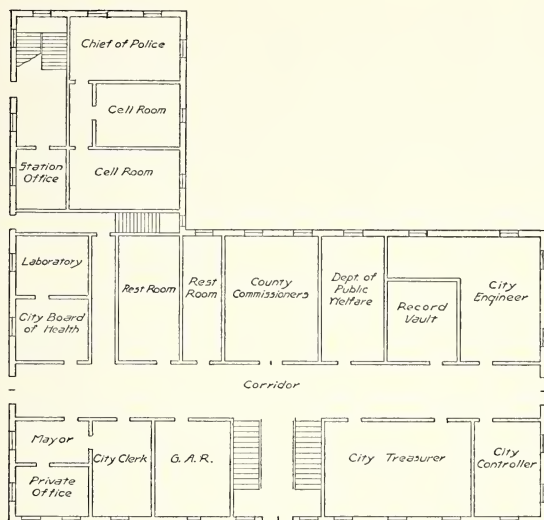
⁴¹ *Ibid.*, 95-109.

⁴² Daniels, *op. cit.*, 282.

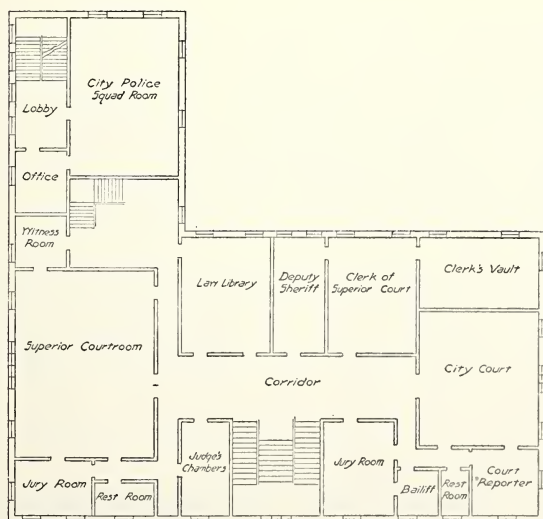
⁴³ *Ibid.*, 91.

⁴⁴ Daniels, *op. cit.*, 282.

⁴⁵ Commissioners' Record, X:10, 16, 60, 146, 147, 179.



FIRST FLOOR, LA PORTE COUNTY SUPERIOR COURTHOUSE



SECOND FLOOR, LA PORTE COUNTY SUPERIOR COURTHOUSE

In 1908, after the creation of the La Porte Superior Court, a petition was presented to the board, requesting that the county construct a superior courthouse in Michigan City; accordingly, the board appointed architects, and the county council appropriated \$125,000 for the building and grounds.⁴⁶ A site at Michigan and Washington Streets was selected, and the courthouse, a white sandstone structure, 134' by 128' and two stories in height, was completed on December 14, 1910, at a cost of \$88,757.⁴⁷ The superior courthouse contains, besides the court and related offices, an office and vault for the clerk and an office for the sheriff. City offices are also housed in the building.

With a few minor exceptions, all the county offices are in the courthouse at La Porte. In the basement are four storage rooms and a vault for the older records; on the first and second floors, county offices; and on the third floor, the circuit courtroom, its attendant offices, and the office of the inspector of weights and measures. Flooring throughout the building is of wood or stone, except in the vaults and the basement, where it is concrete. Lighting and ventilation in the rooms are satisfactory, except where otherwise noted.

County records are housed as described in the paragraphs following:

Board of Commissioners. Two percent of the records of the board are in the auditor's office, 66% in the auditor's vault, 10% in the basement vault, 5% in basement record room 1, and 17% in basement record room 2.

County Council. All the records are in the auditor's office.

Clerk of the Circuit Court. The clerk's office, a room 30' by 24', is located on the west side of the first floor. One hundred and twenty feet of shelving under a counter and along the north wall of the room house 80' of volumes and 40' of unbound records in file boxes. Ten percent of the clerk's records are kept here, with records of the circuit court, the coroner, the registration officer, and the election boards. The clerk's vault, located on the east side of the first floor, is one of the three constructed in 1937. Measuring 36' by 20', its floor, walls, and ceiling are of concrete. Like the other vaults, it is closed by a safe-type door. Steel shelving—2015' around the walls and in the center of the room—houses 1280' of volumes and 735' of unbound records. Little space is left on the shelving for records, which comprise 53% of the clerk's and portions of those of the circuit court, the coroner, and the registration officer.

Twenty-seven percent of the clerk's records are in basement record room 1, and 10% are in record room 2.

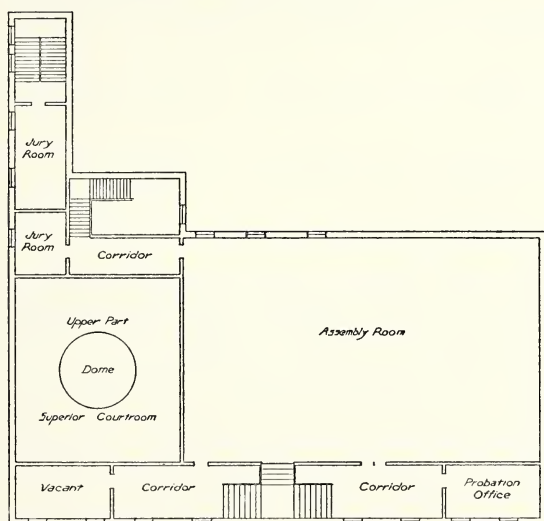
Recorder. Only four volumes of the recorder's records are kept in his office, the majority of his current records being housed in the second floor vault adjoining.

This vault, 36' by 20', is similar in construction to the clerk's vault, but contains two levels. The first level is divided by steel lattices into

⁴⁶ *Ibid.*, Q:181, 190.

⁴⁷ *Ibid.*, 244; R:53.

three sections—one each for the records of the recorder, the auditor, and the treasurer—while the second level, whose floor space is roughly half that of the first, houses the auditor's records. For convenience, the respective portions of the vault are referred to as the recorder's vault, the treasurer's vault, and the auditor's vault. In the entire room are 3231' of steel shelving—of roller design for the volumes and cabinet design for fileboxes—carrying 2799' of volumes and 442' of unbound records in file boxes. A small amount of space for expansion of the records can be obtained. Eighty-eight percent of the recorder's records are here, and 12% are in basement record room 2.



THIRD FLOOR, LA PORTE COUNTY SUPERIOR COURTHOUSE

Circuit Court. Four percent of the circuit court records are in the clerk's office, 80% in the clerk's vault, 12% in basement record room 1, and 4% in record room 2.

Superior Court. In the clerk's office and vault in the Michigan City courthouse are the records of the superior court. The office, on the south side of the second floor, is 27' by 23', while the vault, which adjoins it to the west, is 25' by 20'. Three feet of volumes are kept in the office, and 20' of volumes and 7' of unbound records in the vault. The shelving throughout is of steel. Three percent of the records are in the office and 97% in the vault.

Sheriff. The sheriff's office in the La Porte courthouse lies in the northeast corner of the second floor; it is an L-shaped room, 16' by 15', and is equipped with 20' of shelving, wholly occupied by bound volumes. The office in the Michigan City courthouse lies directly east of the

clerk's office. Twenty-seven feet by 12' in length and width, it houses 13' of volumes.

Thirty percent of the sheriff's records are in his La Porte office, 23% in his Michigan City office, and 47% in basement record room 1.

Coroner. Eleven percent of the coroner's records are in the clerk's office, 30% in the clerk's vault, and 59% in basement record room 1.

County Assessor. The assessor's office, on the west side of the second floor, is 26' by 25'. Volumes occupy the entire 90' of shelving, but space for more shelving is readily obtainable. Sixty-seven percent of the assessor's records, as well as a large portion of the auditor's records are kept here; the remainder of the assessor's records is in the auditor's vault.

County Board of Review. All the records are in the auditor's office.

County Board of Tax Adjustment. All the records are in the auditor's office.

Board of Finance. Forty percent of the records are in the auditor's office, and 60% in his vault.

County School Fund Board. All the records are in the auditor's vault.

Treasurer. The treasurer's office, measuring 24' by 15', lies on the east side of the second floor, adjacent to his vault. Equipped with 320' of steel shelving, it houses 224' of volumes; the remainder of the shelving is occupied by nonrecord material. Space is available for approximately 30' of additional shelving. Two percent of the records are kept here, and 4% in the treasurer's vault which occupies a portion of the second-floor vault as described heretofore. One percent is kept in the basement vault, and basement record rooms 1 and 2 respectively; 89% are in record room 3; and 2% in record room 4.

Auditor. The auditor's office is located on the south side of the second floor. Measuring 34' by 28', it contains 158' of steel shelving, housing 108' of volumes and 40' of unbound records in file boxes. These comprise 8% of the auditor's records, including those of the board of commissioners, the county council, the board of review, the board of tax adjustment, the board of finance, and the school fund board. Six percent of the auditor's records are in his vault, which occupies a section of the second-floor vault as described above. The remainder is distributed as follows: Assessor's office, 18%; basement vault, 6%; basement record room 1, 13%; record room 2, 17%; and record room 3, 32%.

Registration Officer. Ninety-seven percent of the records are in the clerk's office, 2% in his vault, and 1% in the basement vault.

Board of Primary Election Commissioners. All the records are in the clerk's office.

County Board of Canvassers. Two percent of the records are in the clerk's office, 32% in the basement vault, and 66% in basement record room 1.

County Board of Election Commissioners. Thirty-three percent of the records are in the clerk's office; the remainder is in basement record room 1.

County Board of Education. All the records are in the office of the superintendent of schools.

County Superintendent of Schools. The office of the superintendent of schools, on the east side of the first floor, is 24' by 15'. Along the east wall of the room are 21' of wooden and steel shelving, on which are 6' of volumes, comprising 69% of the superintendent's records and all records of the board of education and the county health nurse. The other 31% of the superintendent's records are in basement record room 1.

County Health Officer. The office of the health officer is located in the residence of the incumbent, Dr. R. M. Kelsey, 702 Maple Avenue, La Porte. All the records—bound volumes—are kept here.

Public Health Nurse. All the records are in the office of the superintendent of schools.

County Department of Public Welfare. The welfare office is located on the east side of the first floor. The room has been partitioned so as to provide several small offices for investigators and the director, as well as a main office, 24' by 22'. All the records of the board—2' of volumes and 6 file boxes and 16 file drawers of unbound records—are kept here. The room is adequate for the housing of the records.

Surveyor. A room, 24' by 15', at the northwest corner of the first floor, is occupied by the surveyor and houses all his records, as well as a portion of the records of the highway supervisor. Twelve feet of wooden shelving under a counter house 6' of volumes; space for additional shelving can be obtained if necessary.

County Highway Supervisor. The highway supervisor has an office in the county highway garage at Lake and Tyler Streets, La Porte. Here are kept 16% of the records, consisting of 1 volume, 1 file drawer, and 1 bundle of unbound records. Sixteen percent are kept in the surveyor's office and the remaining 68% in the basement vault.

County Agricultural Agent. The office of the agricultural agent is situated at the southwest corner of the first floor. The room, 29' by 15', is equipped with file cabinets, of which 1 drawer contains unbound records. Also the rest of agricultural agent's records are kept here, including unbound records in 3 file boxes and 1 carton.

County Inspector of Weights and Measures. Located on the north side of the third floor, the office of the inspector of weights and measures is 17' by 14'. The quantity of records kept is small in comparison with those of other offices, comprising 2' of volumes and 1 file box and 3 file drawers of unbound records. The records are suitably housed, and expansion presents no problem.

Housing of Older Records. Five rooms on the east side of the basement house the older records of many offices. One of these known as the basement vault, is of modern design, being one of the three fireproof vaults constructed in 1937, and is suitably equipped, well lighted, and well ventilated; the other four were not designed specifically for the storage of old records, and their equipment has been acquired from time to time.

The basement vault, in the center of the group, is 36' by 20'. It is equipped with a total of 468' of steel shelving, of metal roller and cabinet design, on which are 256' of volumes and 56' of file boxes containing unbound records. Portions of the records of the board of commissioners, the treasurer, the auditor, the registration officer, the board of canvassers, and the highway supervisor are located here.

Record room 1, the northernmost of the group, is 28' by 14'. A ledge runs along the walls of the room; volumes and unbound records in paper cartons are piled on the ledge and the floor. No shelving has been installed. Records of the board of commissioners, the clerk, the circuit court, the sheriff, the coroner, the treasurer, the auditor, the board of primary election commissioners, the board of canvassers, and the board of education are kept here.

Record room 2, immediately south of record room 1, is 29' by 24'. Here shelving has been installed—approximately 355'. The shelving is entirely occupied by volumes, which are also stacked on a ledge around the walls of the room. Ample space is available for shelving, which is needed. Housed here are records of the board of commissioners, the clerk, the recorder, the circuit court, the treasurer, and the auditor.

Record room 3, lies south of the vault, between the latter and record room 4. Similar in size and construction to record room 2, it is equipped with 1440' of steel shelving, all of which is occupied by volumes. The ledge around the room is used as it is in the other rooms. The treasurer and auditor store records here.

Record room 4 is located in the southeast corner, adjoining record room 3. Like record room 1, it has no shelving, and unbound records in paper cartons are stacked on the floor and the ledge. Only treasurer's records are stored in this room.

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5. ABBREVIATIONS, SYMBOLS, AND EXPLANATORY NOTES

The Style Manual of the United States Government Printing Office is the authority followed herein.

Acts	[Session] Laws of the State of Indiana (commonly referred to by binder's title, <i>Acts</i>)
agr. agt.	agricultural agent(s)
alph.	alphabetical(ly)
App.	Appellate court reports of the State of Indiana
approx.	approximate(ly)
arr.	arranged
art.	article
assr.	assessor(s)
aud.	auditor(s)
Baldwin	Baldwin, William Edward, editor. <i>Baldwin's Indiana Statutes Annotated 1934</i> .
bdl.	bundle
bk.	book
bldg.	building
bsmt.	basement
Burns	Burns, Harrison, editor. <i>Annotated Indiana Statutes</i> .
c	copyright (before date)
C. C.	County Courthouse
cf.	compare
ch.	chapter
chron.	chronological(ly)
cir. ct.	circuit court
clk.	clerk(s)
comr.	commissioner(s')
Const.	Constitution of Indiana (refers to present constitution unless date follows)
cor.	coroner
ct. rept.	court reporter
diam.	diameter
et	and

<i>et al.</i>	<i>et alii</i> —and others
<i>et seq.</i>	and following
<i>ex rel.</i>	<i>ex relatione</i> —upon relation of. (Designates the person at whose instance the state or a public officer is acting)
ff.	following
hdw.	handwritten
high. sup.	highway supervisor('s)
H. J.	House Journal (Indiana House of Representatives)
hlth. offr.	health officer('s)
<i>ibid.</i>	<i>ibidem</i> (same reference as that immediately foregoing)
Ind.	Indiana: Indiana Reports (when preceded by the Volume number, reference is to the official state supreme court reports.
insp.	inspector
juv.	juvenile
Laws Ind. Terr.	<i>Laws of Indiana Territory, The: 1801-1809, 1809-1816.</i> (See Bibliography, under Philbrick, Francis S. and Ewbank, Louis B.)
Laws N. W. Terr.	<i>Laws of the Northwest Territory, The: 1788-1800.</i> (See Bibliography, under Pease, Theodore C.)
lb.	pound
<i>loc. cit.</i>	<i>loco citato</i> —in the place cited. (After the name of book or article, refers to previous page(s) cited in the same work)
mi.	mile
n.	note
N. E.	North Eastern Reporter (judicial decisions). 2d—Second series.
no., nos.	number(s)
off.	office
offr.	officer
<i>op. cit.</i>	<i>opere citato</i> —in the work cited. (After author's name, refers to previous work cited under his name)
p., pp.	page(s)
<i>passim</i>	here and there (referring to references too numerous to enumerate)
<i>pro tem.</i>	<i>pro tempore</i>
prob. comr.	probate commissioner
pros. atty.	prosecuting attorney('s)
pt.	part
ptd.	printed
pub.welf.	public welfare
pvt.	private
rec.	record
recr.	recorder('s)
reg.	register
Rev. Laws	Revised Laws of Indiana

Rev. Stat.	Revised Statutes of Indiana
rm.	room
sec., secs.	section(s)
sher.	sheriff('s)
sic	thus (indicating expression, misspelling, etc., are the same as in the original)
S. J.	Senate Journal (Indiana Senate)
Spec. Sess.	Special Session
sta.	station
stat.	statutes
stor.	storage
sub-bsmt.	sub-basement
suppl.	supplement
supr. ct.	superior court
supt.	superintendent('s)
surv.	surveyor('s)
treas.	treasurer('s)
twp., twps.	township(s)
U. S.	United States
U. S. C.	United States Code
v.	versus
vol., vols.	volume(s)
vt.	vault
'	foot, feet
"	inch(es) (omitted after dimensions in entries)
x	by

Other abbreviations in common use are occasionally used.

EXPLANATORY NOTES

The inventory of the records of each branch of the county government is preceded by an essay explaining its legal status and functions.

Entries are grouped under a functional classification, with headings and subheadings according to relative functions and with cross-references to allied subjects. Every entry has two parts or paragraphs: Title and description. Occasionally an entry has a third (cross-reference) paragraph.

I. The title paragraph consists of:

Entry number. The entries are numbered consecutively.

Exact *title* (in capitals and small capitals) as it appears on the record. Titles enclosed in brackets are supplied by The Historical Records Survey, if the volume or file bears no title. Supplementary titles (in capitals and lower-case letters), enclosed in brackets, are also supplied where it is necessary to explain the types of records more fully, or where the exact title borne by the record is incorrect, misleading, or nondescriptive. Unusual abbreviations are spelled out in capitals and enclosed in brackets.

Dates of the period covered by the record, showing inclusive beginning and ending dates by years only. Missing records are indicated

by a break in the dates. A dash in place of an ending date denotes an open record. In entries, where one or more records are replaced by another record, the month and day are given for the discontinued record. In entries of open records, when the last entry is not current, a note follows: "Last entry"—with day, month, and year.

Quantity, given in chronological order wherever possible.

Labeling, if a series or a part of a series. Where the entry consists of one unit, labeled 1, the labeling is omitted; if otherwise labeled, the labeling is given. If the labeling is inconsistent or confusing, the notation "numbering varies" follows the quantity.

Variations in title. Current or most recent title used as entry title; if former titles vary, they are shown.

Changes in keeping records. Occasionally the county record is discontinued or is kept by some other authority—state or other county office.

II. The description consists of:

A statement of the nature, contents, and purpose of the record, with a resume of the column headings or subjects treated. The current record, except as otherwise noted, is described. The contents over a long period of years may themselves vary; therefore, over the entire period the description may vary to some degree. In the description of map and plat records, the scale and the names of author and publisher are given whenever available. No mention thereof denotes that these data are not known.

Method of *arrangement*: Chronological, topical, or other system. No mention of arrangement denotes that there is no systematic arrangement.

Method of *indexing*, pertaining to self-contained indexes. Separate indexes are noted also, with a cross-reference thereto. No mention of indexing denotes that the records are not indexed.

Nature of *recording*: Handwritten, typewritten, or printed. Modern records are almost exclusively in printed form, filled in by hand or typewritten as stated in entry. Maps and plats are drawn, blueprinted, or printed.

Condition. Omitted if good or excellent.

Number of pages averaged for a series.

Size of volumes in the order of height, width, and thickness, averaged for a series; of file boxes and file drawers, in the order of height, width, and depth. It is given in inches in all instances; hence the inch sign is omitted.

Location. The place of custody (the room in which the records are located) is in the courthouse unless another building is specified either in the entry or in the essay on the legal status of the office.

III. Cross-referencing occurs in three places:

In the title paragraph it is used to show a complete series where another method of keeping the record was used in the past or is used at present; also, to show other records with which the record is combined.

In the description paragraph, to and from the master entry, to show the contents of volumes or files containing unrelated records. Whenever an entry contains more than one type of record, all the data are given in a master entry under the actual title or under a complete title, if supplied, with reference to subordinate entries for each part. The subordinate entry consists of supplied title, dates, and description only.

In the third paragraph, to prior and subsequent records or allied subjects; to subjects on which supplementary information may be found in other entries; and to records which have related functions.

PART B. COUNTY OFFICES AND THEIR RECORDS

I. BOARD OF COMMISSIONERS

The board of commissioners is a statutory body composed of three members,¹ each elected for a term of three years, each term commencing in a different year.² The county is divided into three districts; and one commissioner is elected from the residents of each district by the voters of the whole county.³

The act of January 9, 1832, effective April 1, 1832, creating La Porte County, provided for a board of commissioners to transact county business.⁴ On April 9, 1832, Chapel W. Brown, Elijah H. Brown, and Isaac Morgan were elected members of the first board. The first meeting of the board was held on May 28, 1832.⁵

Since April 9, 1832, the general administrative control of county matters has been vested in the board of commissioners, except that since 1899 many powers of a fiscal nature, previously vested in the board, have been vested exclusively in the county council.⁶

The board of commissioners is a body corporate and politic by the name and style of "The Board of Commissioners of the County of La Porte." As such, and in such name, the board may sue and be sued. It possesses duties, rights, and powers incident to corporations.⁷ In legal contemplation, the board is the county.⁸

The principal functions of the board are: Control of county property; allowance of claims against the county; auditing accounts of all officers handling county money (in practice, the board no longer makes audits, since these are made by the state board of accounts);⁹ inspection of the books and offices of the treasurer and auditor;¹⁰ to provide

¹ 1 Rev. Stat. 1852, Acts 1929; Burns 26-601; Baldwin 5215.

² 1 Rev. Stat. 1852; Burns 26-603; Baldwin 5217. Acts 1885; Burns 26-604; Baldwin 5218.

³ 1 Rev. Stat. 1852; Burns 26-602; Baldwin 5216.

⁴ Acts 1831-32, ch. 2, secs. 4, 7. Previous general laws prescribing the powers and duties of boards doing county business applied to La Porte County. Acts 1816-17, ch. 15. Rev. Laws 1824, ch. 15. Rev. Laws 1831, ch. 20.

⁵ *History of La Porte County, Indiana* (1880), 549. Commissioners' Record, A:1.

⁶ Acts 1816-17, ch. 15. Rev. Laws 1824, ch. 15. Rev. Laws 1831, ch. 20. Acts 1831-32, ch. 2, secs. 4, 7. Const., art. 6, sec. 10. 1 Rev. Stat. 1852, ch. 6, sec. 1; ch. 20, secs. 17, 18, 21, 22. 1 Rev. Stat. 1852, Acts 1935; Burns, 1938 suppl., 26-620; Baldwin, 1935 suppl., 5236. Acts 1899; Burns 26-501 *et seq.*; Baldwin 5365 *et seq.* Snider v. State ex rel. Leap, 206 Ind. 474, 190 N. E. 178.

⁷ 1 Rev. Stat. 1852; Burns 26-602; Baldwin 5220.

⁸ Dice v. County Board of Finance, 99 Ind. App. 405, 192 N. E. 770.

⁹ 1 Rev. Stat. 1852, Acts 1935; Burns, 1938 suppl., 26-620; Baldwin, 1935 suppl., 5236. Acts 1879 (Spec. Sess.); Burns 26-807; Baldwin 5256. Acts 1897; Burns 26-636; Baldwin 5237. Acts 1909, 1915; Burns 60-201 *et seq.*; Baldwin 13854 *et seq.*

¹⁰ Acts 1897; Burns 26-636; Baldwin 5237. Acts 1895, 1913; Burns 49-1403; Baldwin 7578. 1 Rev. Stat. 1852; Burns 49-3110; Baldwin 5555.

office rooms for county officers;¹¹ construction and repair of roads,¹² bridges, culverts,¹³ and county buildings;¹⁴ purchase of materials and supplies;¹⁵ exercise of the power of eminent domain;¹⁶ preparation of annual budget estimates;¹⁷ issuance of bonds;¹⁸ establishment and change of township¹⁹ and precinct²⁰ boundary lines; to provide rooms, booths, ballot boxes, and voting machines for elections;²¹ establishment and maintenance of libraries²² and hospitals;²³ inspection of county jail²⁴ and poor asylum;²⁵ subscription to and preservation of newspapers printed in the county;²⁶ maintenance of standards of weights and measures;²⁷ reproduction of mutilated or decayed records;²⁸ regulation of traffic on highways;²⁹ authorization of payment of bounties;³⁰ offering rewards in case of murder or lynching;³¹ enforcement of its orders;³² appointment of highway supervisor,³³ health officer,³⁴ supervisor of weights and measures,³⁵ and county nurse;³⁶ employment of a county attorney³⁷ and tax ferrets.³⁸

¹¹ 1 Rev. Stat. 1852; Burns 26-624; Baldwin 5240. Acts 1899; Burns 26-625; Baldwin 5241.

¹² Acts 1905, 1907; Burns 36-201 *et seq.*; Baldwin 8756 *et seq.* Acts 1907; Burns 36-401 *et seq.*; Baldwin 8992 *et seq.* Acts 1919; Burns 36-301 *et seq.*; Baldwin 8859 *et seq.* Acts 1919; Burns 36-501 *et seq.*; Baldwin 8879 *et seq.* Acts 1933; Burns 36-1101 *et seq.*; Baldwin 8699 *et seq.*

¹³ Acts 1905, 1907, 1929; Burns 36-1901 *et seq.*; Baldwin 9236 *et seq.* Acts 1905, 1911, 1913; Burns 36-2001 *et seq.*; Baldwin 9191 *et seq.* Acts 1920 (Spec. Sess.); Burns 36-2404; Baldwin 9154.

¹⁴ 1 Rev. Stat. 1852; Burns 26-624; Baldwin 5240. Acts 1907; Burns 26-2002, 26-2004; Baldwin 5101, 5103.

¹⁵ Acts 1899; Burns 26-535; Baldwin 5400. Acts 1899, 1903, 1933; Burns 26-536; Baldwin 5401.

¹⁶ Acts 1937; Burns, 1938 suppl., 26-640; Baldwin, 1937 suppl., 5236-1. Acts 1899; Burns 26-2101 to 26-2106; Baldwin 5109 to 5114. Acts 1919; Burns 36-303; Baldwin 8861. Acts 1935; Burns, 1938 suppl., 36-711; Baldwin, 1935 suppl., 8861-1.

¹⁷ Acts 1899; Burns 26-516, 26-519; Baldwin 5380, 5383.

¹⁸ 1 Rev. Stat. 1852, Acts 1869; Burns 26-1001 *et seq.*; Baldwin 5242 *et seq.*

¹⁹ Acts 1859; Burns 26-701; Baldwin 16055. Acts 1919; Burns 26-705; Baldwin 16059.

²⁰ Acts 1889, 1907; Burns 29-801 *et seq.* Baldwin 29801 *et seq.* Acts 1920 (Spec. Sess.); Burns 29-901; Baldwin 7091.

²¹ Acts 1889; Burns 29-1101; Baldwin 7101. Acts 1897; Burns 29-1121; Baldwin 7135. Acts 1920 (Spec. Sess.); Burns 29-909; Baldwin 7154.

²² Acts 1917, 1921, 1927; Burns 41-510; Baldwin 10321.

²³ Acts 1903; Burns 22-3201; Baldwin 4507.

²⁴ Acts 1909; Burns 13-1008; Baldwin 13460.

²⁵ 1 Rev. Stat. 1852, Acts 1899; Burns 52-205; Baldwin 13373.

²⁶ 1 Rev. Stat. 1852; Burns 26-626; Baldwin 5285.

²⁷ 1 Rev. Stat. 1852; Burns 69-101.

²⁸ Acts 1877; Burns 26-634, 26-635; Baldwin 5339, 5340.

²⁹ Acts 1919; Burns 36-706; Baldwin 8899.

³⁰ 1 Rev. Stat. 1852, Acts 1875, 1883, 1911; Burns 26-1101 to 26-1103, 26-1105, 26-1106; Baldwin 5288, 5289, 3802, 5293, 5294.

³¹ Acts 1899; Burns 26-1104; Baldwin 5290.

³² 1 Rev. Stat. 1852; Burns 26-619; Baldwin 5233.

³³ Acts 1933; Burns 36-1110; Baldwin 8078.

³⁴ Acts 1935; Burns, 1938 suppl., 35-118; Baldwin, 1935 suppl., 8404-1.

³⁵ Acts 1925; Burns 69-104; Baldwin 16335.

³⁶ Acts 1935; Burns, 1938 suppl., 35-123; Baldwin, 1935 suppl., 8404-6.

³⁷ Acts 1899; Burns 26-519; Baldwin 5383. Acts 1917; Burns 10-3103; Baldwin 822.

³⁸ Acts 1905; Burns 64-2830; Baldwin 15696-1.

The board of commissioners has always had the power to establish, construct, and maintain roads. From 1879 to 1913 the board constituted, ex officio, a board of turnpike directors for the management and control of all free turnpikes in the county.³⁹ From 1913 until 1933, a superintendent of highways appointed by the board was in charge of county roads.⁴⁰ Since 1933, the supervision of county roads has been a duty of the surveyor unless the board appoints a highway supervisor.⁴¹

A regular session of the board of commissioners begins on the first Monday of each month and continues so long as the necessary business of the session requires.⁴² Special sessions are held when called by the auditor, or, in case of death or disqualification, by the clerk of the circuit court or the recorder, respectively.⁴³ Any two members constitute a quorum to do business.⁴⁴ The auditor, as clerk of the board, attends its meetings, keeps a record of the proceedings, and preserves in his office all the books and papers touching the business of the county.⁴⁵ The sheriff, by himself or deputy, attends the meetings of the board and executes its orders.⁴⁶ All meetings of the board are open to the public.⁴⁷ The board adopts regulations for the transaction of business; and in the trial of causes it is required to comply, so far as practicable, with the rules for conducting business in the circuit court.⁴⁸ Whenever in the trial of any cause, two or more members of the board are disqualified, the circuit judge appoints special commissioners to act in their places.⁴⁹ Though appeals may be taken to the circuit court to review all judicial decisions of the board, no appeal lies from the action of the board in a purely ministerial or administrative capacity, unless a statute specifically allows it.⁵⁰ Appeals are authorized in proceedings concerning claims against the county,⁵¹ removal of county seat,⁵² establishment or vacation of a public ferry,⁵³ and highway matters.⁵⁴

PROCEEDINGS AND REPORTS

1. COMMISSIONERS' RECORD, 1832—. 25 vols. (A-X, S).

Minutes of meetings of board of commissioners concerning county business, showing date of meeting, names of members present, nature of business discussed, and action taken. Arr. chron. by dates of meetings. No index. 1832-Sept. 22, 1900, hdw.; Sept. 23, 1900—, typed. 500 pp. 18 x 12 x 2. Aud. vt.

³⁹ Acts 1879 (Spec. Sess.), ch. 115, sec. 1.

⁴⁰ Acts 1913, ch. 330, sec. 1.

⁴¹ Acts 1933; Burns 36-1101, 36-1110; Baldwin 8699, 8078.

⁴² Acts 1899; Burns 26-550; Baldwin 5221.

⁴³ Acts 1863, 1899; Burns 26-607 to 26-610; Baldwin 5222 to 5225.

⁴⁴ 1 Rev. Stat. 1852, Acts 1929; Burns 26-601; Baldwin 5215.

⁴⁵ 1 Rev. Stat. 1852; Burns 26-611, 26-621, 49-3004; Baldwin 5226, 5238, 5418.

⁴⁶ 1 Rev. Stat. 1852; Burns 26-611; Baldwin 5226.

⁴⁷ 1 Rev. Stat. 1852; Burns 26-623; Baldwin 5239.

⁴⁸ 1 Rev. Stat. 1852; Burns 26-617; Baldwin 5228.

⁴⁹ Acts 1913; Burns 26-614 to 26-616; Baldwin 5229 to 5231.

⁵⁰ 1 Rev. Stat. 1852; Burns 26-901; Baldwin 5276. State ex rel. Starry v. Board of County Comrs., 136 Ind. 207, 35 N. E. 1100.

⁵¹ Acts 1879 (Spec. Sess.), 1885; Burns 26-820; Baldwin 5275.

⁵² Acts 1885 (Spec. Sess.); Burns 26-410; Baldwin 5065.

⁵³ 1 Rev. Stat. 1852; Burns 36-2615; Baldwin 7705.

⁵⁴ Acts 1905; Burns 36-1501; Baldwin 8858.

2. COMMISSIONERS' DOCKET, 1874-1933. 27 vols. (A-U, P-U).

Record of documents filed for consideration of board of commissioners, showing dates of document and filing, cause number, nature of action, names of parties, and action taken. Arr. numerically by cause nos. No index. Hdw. 500 pp. 18½ x 12 x 1. Aud. vt.

For prior and subsequent records, see entry 1.

3. COUNTY HIGHWAY DEP[ARTMENT REPORTS], 1931—. 2 file boxes. Monthly and annual reports of expenditures of highway superintendent, showing dates of report and filing, name of superintendent, nature of expense, number of miles of roads maintained, cost per mile, total disbursements, and balance in fund. Arr. chron. by dates of filing. No index. Typed. 11 x 5 x 14. Aud. off.

4. COUNTY COMMISSIONERS MISC.[ELLANEOUS, Inspector of Weights and Measures], 1935—. 2 file boxes.

Monthly and annual reports of county inspectors of weights and measures to board of commissioners, showing date of report, name and address of inspector, summary of monthly tests made, type of scales and measuring devices tested, adjusted, condemned or confiscated, number of prosecutions and convictions, and remarks regarding cooperation of merchants and dealers. Arr. chron. by dates of reports. No index. Hdw. 11 x 5 x 14. Aud. off.

5. PROOF OF PUBLICATION, 1931—. 1 file box.

Affidavits made by publishers of publication of legal notices, showing dates of affidavit and publication, names of publication and affiant, and printed copy of notice. Arr. chron. by dates of affidavits. No index. Hdw. 11 x 5 x 14. Aud. off.

For prior records, see entry 6.

6. LEGAL NOTICES [Proofs of Publication], 1903-30. 2 vols.

Newspaper clippings of notices published in local newspapers concerning county business, showing date of publication, number of insertions, name of newspaper, title of subject, and purpose of notice. Arr. chron. by dates of publications. No index. Ptd. 56 pp. 14 x 10 x ½. Bsmt. vt.

For subsequent records, see entry 5.

7. APPLICATION FOR LICENSE, BOND OF RETAILER, 1879-1917. 8 bdls.,

3 file boxes. Discontinued by an act of 1918. Kept by state excise director 1933-34 and by alcoholic beverage commission of Indiana 1935—.

Applications for liquor licenses and bonds posted by retail liquor dealers, showing dates of application and bond, names of dealer and sureties, amount and conditions of bond, location and description of business, and proof of publication. Arr. chron. by dates of applications. No index. Hdw. Bdls., 4 x 10 x 12; file boxes, 11 x 5 x 14. 8 bdls., 1879-1890, bsmt. rec. rm. 1; 3 file boxes, 1891-1917, bsmt. vt.

8. RECORD OF LIQUOR LICENSES, 1910-17. 1 vol. Discontinued by an act of 1918. Kept by state excise director 1933-34 and by alcoholic beverage commission of Indiana 1935—.

Record of licenses granted to retail alcoholic liquors, showing date and term of license, names of licensee and sureties, location of business, and amount of fee. Arr. chron. by dates of licenses. Indexed alph. by names of licensees. Hdw. 500 pp. 18 x 12 x 2. Bsmt. vt.

9. LIQUOR RETAILERS' BONDS, 1859-92, 1895-1917. 11 vols. (1 vol. not numbered, 2-4, 6-12). Discontinued by an act of 1918. Kept by state excise director 1933-34 and by alcoholic beverage commission of Indiana 1935—.

Record of bonds posted by retail liquor dealers, showing date, amount and conditions of bond, names of dealer and sureties, and location and description of business. Arr. chron. by dates of bonds. Indexed alph. by names of dealers. Hdw. 500 pp. 17 x 11 x 1½. Bsmt. vt.

BOND ISSUES

10. BOND REGISTER, 1901—. 2 vols. Title varies: 1 vol., 1901-17 Bond and Coupon Maturity Record.

Record of all bonds issued to defray county expenditures, showing dates of bond issue, maturity and redemption, name of purchaser, and number, amount and purpose of bond. Arr. chron. by dates of bonds. No index. 500 pp. 18 x 12 x 2. Aud. vt.

BIDS AND CONTRACTS

11. BIDS AND CONTRACTS, 1908—. 7 file boxes.

Plans, specifications, bids accepted by board of commissioners, and contracts executed by contractors for furnishing material and supplies to county and for construction and maintenance of roads, bridges, ditches and buildings, showing date, amount and conditions of bid and contract, names of bidder and contractor, decision of board, and date of filing. Arr. chron. by dates of filing. No index. Hdw. and typed. 11 x 5 x 14. 5 file boxes, 1908-35, aud. vt.; 2 file boxes, 1936—, aud. off.

12. COUNTY ASYLUM, 1926—. 3 file boxes.

Original estimates and requisitions, bids accepted, contracts executed and bonds posted for furnishing supplies and equipment for county asylum, showing dates of estimate, requisition, bid, contract, bond and filing, itemized list of supplies and equipment needed, names of bidder and contractor, conditions of contract, and amount of bond. Arr. chron. by dates of filing. No index. Hdw. 11 x 5 x 14. 2 file boxes, 1926-June 1, 1937, aud. vt.; 1 file box, June 5, 1937—, aud. off.

CLAIMS AND ALLOWANCES

13. COMMISSIONERS' CLAIM AND ALLOWANCE RECORD, 1847-1900, 1911—. 16 vols.

Record of claims filed and allowances made by board of commissioners, showing date and amount of claim and allowance, purpose of claim, appropriation, claim and warrant number, and name of claimant. Arr. chron. by dates of allowances. No index. Hdw. 319 pp. 16 x 12 x 3. 12 vols., 1847-1900, 1911-25, bsmt. vt.; 4 vols., 1926—, aud. vt.

14. CLAIMS AND ALLOWANCES, 1871-88, 1901—. 10 bdl., 184 file boxes.

Original claims presented to board of commissioners for allowance, showing dates and amounts of claim and allowance, name of claimant, claim and warrant numbers, and nature of claim. Arr. chron. by dates of claims. No index. Hdw. Bdl., 4 x 10 x 12; file boxes, 11 x 5 x 14.

10 bdl., 1871-Aug. 1880, bsmt. rec. rm. 1; 16 file boxes, Sept. 1880-88, bsmt. vt.; 168 file boxes, 1901—, aud. vt.

15. POOR RELIEF REPORTS, 1927—. 3 bdl., 95 cartons.

Claims submitted to board of commissioners for merchandise and services furnished to indigent persons with township trustees' original relief orders attached, showing dates and amounts of order and claim, names of trustees, indigent and claimant, and itemized list of services or merchandise furnished. Arr. numerically by claim nos. No index. Hdw. Bdl., 4 x 8 x 12; cartons, 12 x 12 x 24. 3 bdl., 3 cartons, 1927-32, bsmt. rec. rm. 1, 85 cartons, 1933-37, bsmt. rec. rm. 4; 7 cartons, 1938—, bsmt. vt.

16. WOLF BOUNTY [Claims], 1904-06. 1 file box.

Original wolf bounty claims filed for allowance by board of commissioners, showing date, number and amount of claim, name of claimant, and date of payment. Arr. numerically by claim nos. No index. Hdw. 11 x 5 x 14. Aud. vt.

For prior and subsequent records, see entry 14.

PUBLIC IMPROVEMENTS

(See also entry 232)

ROADS

17. ROAD RECORD, 1867—. 4 vols. (1-4).

Transcripts of all actions and proceedings for construction and maintenance of roads, showing date and nature of action, names of principals, and location and description of road. Arr. chron. by dates of action. For index, see entry 18. 1859-Mar. 1902, hdw.; June, 1902—, typed. 500 pp. 18 x 12 x 2. 3 vols., 1867-Feb. 1930, aud. vt.; 1 vol., Mar. 1930—, aud. off.

18. INDEX TO ROAD RECORDS, 1867—. 1 vol.

Index to Road Record, entry 17, showing names of township and road, subjects discussed, and volume and page reference to recording. Arr. by twps., thereunder by titles of subjects. Hdw. 572 pp. 18 x 12 x 2. Aud. vt.

19. ROADS AND HIGHWAYS, 1859—. 80 file boxes.

Original plans, specifications, bids and contracts for construction and maintenance of roads, showing date of instrument, names of bidder, contractor and road, amounts of bid and contract, and location and description of road. Arr. chron. by dates of instruments. No index. Hdw. and typed. 11 x 5 x 14. 77 file boxes, 1859-Apr. 4, 1932, aud. vt.; 3 file boxes, Apr. 10, 1932—, aud. off.

BRIDGES

20. BRIDGES, 1898—. 14 file boxes.

Original plans, specifications, bids and contracts for construction and maintenance of bridges, showing date of instrument, names of bidder, contractor and bridge, amounts of bid and contract, and location and description of bridge. Arr. by names of bridges. No index. Hdw. and typed. 11 x 5 x 14. 12 file boxes, 1898-Aug. 1931, aud. vt.; 2 file boxes, Sept. 1931—, aud. off.

DITCHES

(See also entries 95, 232, 350)

21. DITCH RECORD, 1887—. 3 vols. (1-3).

Record of petitions, viewers', surveyor's and construction commissioners' reports, and contracts executed for construction and maintenance of ditches, showing dates of petition, report and contract, names of petitioners, viewers, surveyor, commissioners, contractor, ditch and property owners, amounts of contract and assessments, notice of sale of bonds, and location and description of ditch. Also contains: Ditch Contracts and Bonds, 1897—, entry 24. Arr. by names of ditches. For index, 1890—, see entry 22. 1887-Dec. 8, 1899, hdw.; Dec. 9, 1899—, typed. 500 pp. 18 x 12 x 2. Aud. vt.

22. GENERAL INDEX TO DITCH RECORD, 1890—. 1 vol.

Partial index to Ditch Record, entry 21, showing names of township and ditch and volume and page reference to recording. Arr. by twps., thereunder by names of ditches. Hdw. 150 pp. 11 x 17 x 1. Aud. vt.

23. DITCHES, 1894-1917. 6 file boxes.

Original plans, specifications, bids and contracts for construction and maintenance of ditches, showing date of instrument, names of bidder, contractor and ditch, dates and amounts of bid and contract, and location and description of ditch. Arr. chron. by dates of instruments. No index. Hdw. and typed. 11 x 5 x 14. Aud. vt.

For subsequent records, see entry 11.

24. DITCH CONTRACTS AND BONDS, 1891-96. 1 vol. 1897— in Ditch Record, entry 21.

Record of contracts executed and bonds posted by contractors for constructing and cleaning ditches, showing dates of contract and bond, conditions of contract, amount of bond, names of contractor and sureties, and location and description of ditch. Arr. chron. by dates of contracts and bonds. No index. Hdw. 400 pp. 18 x 12 x 2. Aud. vt.

II. COUNTY COUNCIL

The La Porte County Council is a statutory body created by the general assembly in 1899.¹ The council is composed of seven members, each elected for a term of four years. The county is divided by the board of commissioners into four councilmanic districts; and one councilman is elected by the voters of each district. Three councilmen at large are elected by the voters of the whole county. Any vacancy in the council is filled by appointment made by the council at a special meeting called by the auditor.² Each councilman at large must be a qualified voter and resident freeholder of the county. Each of the other councilmen must be a qualified voter and resident freeholder of the district from which he was elected or appointed. No person can hold the office of councilman while holding any other county office or while holding any state, township, or municipal office.³

¹ Acts 1899; Burns 26-501; Baldwin 5365.

² Acts 1899, 1907; Burns 26-502, 26-505; Baldwin 5366, 5369.

³ Acts 1899; Burns 26-504; Baldwin 5368.

The principal functions of the council are: Making appropriations and county tax levies (both subject to review by the board of tax adjustment),⁴ authorizing the borrowing of money for the county,⁵ and authorizing the county to purchase, sell, or convey real estate of the value of \$1,000 or more.⁶

The council holds a regular annual meeting on the first Tuesday after the first Monday of September each year. Special meetings may be called by the auditor or a majority of the members of the council.⁷ The sessions are open to the public and may continue until all business is completed.⁸ The auditor, as ex officio clerk of the council, keeps in his office the files and papers of the council and a record of its proceedings.⁹ The sheriff, by himself or deputy, attends the sessions of the council and executes its orders.¹⁰

A majority of all the members constitutes a quorum to do business, and such majority must concur in the passage of ordinances.¹¹ A greater vote is required in order to expel a member,¹² adopt appropriations not included in budget estimates,¹³ adopt appropriations at a special meeting,¹⁴ and to levy taxes for the repair, maintenance, or preservation of county highways.¹⁵

25. COUNTY COUNCIL RECORD, 1899—. 3 vols.

Minutes of meetings of county council, showing date of meeting, names of members present, nature of business discussed, and action taken. Arr. chron. by dates of meetings. No index. Hdw. and typed. 300 pp. 18 x 12 x 2. 1 vol., 1899-1925, aud. vt.; 2 vols., 1926—, aud. off.

26. COUNTY COUNCIL ESTIMATES, 1914—. 5 file boxes.

Budget estimates of county officials submitted to and ordinances of appropriation by county council, showing dates of estimates, ordinance and filing, names of official and office, itemized statement of expense, and amount of appropriation. Arr. chron. by dates of filing. No index. Typed. 11 x 5 x 14. 3 file boxes, 1914-30, aud. vt.; 2 file boxes, 1931—, aud. off.

27. TAX LEVIES, 1928—. 2 file boxes.

Tax levies established by each taxing unit, presented to county council, and reviewed by board of tax adjustment, showing date of statement, name of taxing unit, itemized rates of each fund, and total levy. Arr. chron. by dates of statements. No index. Hdw. 11 x 5 x 14. Aud. off.

⁴ Acts 1899, 1931; Burns 26-507, 26-515, 26-520; Baldwin 5371, 5379, 5384. Acts 1889, 1907, 1913, 1937; Burns, 1938 suppl., 26-521; Baldwin, 1937 suppl., 5385. Acts 1937; Burns, 1938 suppl., 64-310, 64-311; Baldwin, 1937 suppl., 15897-4, 15897-5.

⁵ Acts 1899, 1921, 1929; Burns 26-532; Baldwin 5396.

⁶ Acts 1899; Burns 26-534; Baldwin 5399.

⁷ Acts 1899, 1931; Burns 26-507; Baldwin 5371.

⁸ Acts 1899; Burns 26-508; Baldwin 5372.

⁹ Acts 1899; Burns 26-509; Baldwin 5373.

¹⁰ Acts 1899; Burns 26-510; Baldwin 5374.

¹¹ Acts 1899; Burns 26-511; Baldwin 5375.

¹² Acts 1899; Burns 26-512; Baldwin 5376.

¹³ Acts 1899; Burns 26-520; Baldwin 5384.

¹⁴ Acts 1899, 1907, 1913, 1937; Burns, 1938 suppl., 26-521; Baldwin, 1937 suppl., 5385.

¹⁵ Acts 1932 (Spec. Sess.); Burns 36-905; Baldwin 8715.

III. CLERK OF THE CIRCUIT COURT

The clerk of the circuit court, commonly referred to as "county clerk", is a constitutional officer, elected for a four-year term by the voters of the county. The office was created by the Constitution of 1816 and re-created by the Constitution of 1851. No person is eligible to the office of clerk of the circuit court for more than eight years in any twelve-year period.¹ The clerk is required to give bond in the amount fixed by the board of commissioners.²

As an officer of the circuit court, the clerk performs numerous duties. He attends the circuit court, in person or by deputy, and performs the clerk's customary duties at trials;³ files pleadings and papers and endorses thereon the time of such filing;⁴ issues summonses,⁵ notices for service by publication,⁶ attachment writs,⁷ garnishment writs,⁸ executions,⁹ and witness subpoenas;¹⁰ administers oaths;¹¹ takes depositions of witnesses;¹² keeps court dockets;¹³ records orders, judgments,¹⁴ notices of lis pendens,¹⁵ and probated wills;¹⁶ draws up a record of the proceedings of the court daily;¹⁷ enters in a final record book a complete record of causes finally determined;¹⁸ and receives payments for all judgments of record in his office.¹⁹ Under authority of the federal laws, he files naturalization declarations and certificates, keeps records of naturalization proceedings, and makes a report thereof to the United States

¹ Const. 1816, art. 5, sec. 8. Const., art. 6, sec. 2. 2 Rev. Stat. 1852; Burns 49-2701; Baldwin 1427.

At the first election, held on April 9, 1832, George Thomas was elected recorder and clerk of the circuit court, as authorized by Const. 1816, art. 11, sec. 10. *History of La Porte County* (1880), 556, 558.

² Acts 1875; Burns 49-2703, 49-2704; Baldwin 1430, 1431.

³ 2 Rev. Stat. 1852; Burns 49-2706; Baldwin 1433.

⁴ Acts 1881 (Spec. Sess.); Burns 2-802, 2-1641; Baldwin 83, 288. 2 Rev. Stat. 1852; Burns 49-2706; Baldwin 1433.

⁵ Acts 1881 (Spec. Sess.); Burns 2-802; Baldwin 83.

⁶ Acts 1881 (Spec. Sess.), 1885, 1935; Burns, 1938 suppl., 2-807; Baldwin, 1935 suppl., 88.

⁷ Acts 1881 (Spec. Sess.); Burns 3-509; Baldwin 777.

⁸ Acts 1881 (Spec. Sess.), 1897; Burns 3-522; Baldwin 791.

⁹ Acts 1881 (Spec. Sess.); Burns 2-3301 to 2-3314; Baldwin 521 *et seq.*

¹⁰ Acts 1881 (Spec. Sess.); Burns 2-1701; Baldwin 289.

¹¹ 2 Rev. Stat. 1852; Burns 49-2708; Baldwin 1435.

¹² Acts 1881 (Spec. Sess.); Burns 2-1501; Baldwin 211.

¹³ Acts 1881 (Spec. Sess.), 1929; Burns 2-2520, 2-3314; Baldwin 392, 524. 2 Rev. Stat. 1852; Burns 49-2706; Baldwin 1433.

¹⁴ Acts 1893; Burns 2-822; Baldwin 103. Acts 1881 (Spec. Sess.), 1929; Burns 2-2520, 2-2706; Baldwin 392, 421. Acts 1915; Burns 3-1410; Baldwin 968, note. 2 Rev. Stat. 1852; Burns 49-2706; Baldwin 1433.

¹⁵ Acts 1881 (Spec. Sess.), 1889; Burns 2-813 to 2-821; Baldwin 94 to 102. Acts 1893; Burns 2-822; Baldwin 103. Acts 1905; Burns 56-505; Baldwin 14708-1.

¹⁶ Domestic probate. Acts 1881 (Spec. Sess.), 1883; Burns 6-2205; Baldwin 3014. 2 Rev. Stat. 1852; Burns 7-411; Baldwin 3385. Foreign probate. 2 Rev. Stat. 1852; Burns 7-415 to 7-417; Baldwin 3389 to 3391.

¹⁷ 2 Rev. Stat. 1852; Acts 1885, 1933; Burns 4-324; Baldwin 1413.

¹⁸ 2 Rev. Stat. 1852; Burns 49-2706; Baldwin 1433.

¹⁹ Acts 1875; Burns 49-2719; Baldwin 1438.

Immigration and Naturalization Service.²⁰ He is ex officio clerk of the superior court of the county; and performs therein duties similar to his duties in the circuit court.²¹ From 1832 until 1853, he was ex officio clerk of the probate court of the county (abolished in 1853);²² and from 1853 until 1873, he was ex officio clerk of the common pleas court of the county (abolished in 1873).²³ He prepares budget estimates for the circuit court and superior courts.²⁴

He serves ex officio as registration officer for the county²⁵ and as a member of the county election boards.²⁶ He issues licenses for marriages,²⁷ physicians, surgeons,²⁸ midwives,²⁹ osteopaths,³⁰ chiropractors,³¹ dentists,³² optometrists,³³ hunting, trapping, fishing,³⁴ poultry dealers,³⁵ and junk dealers.³⁶ He approves, files, and keeps a record of the bonds of county officers, township officers (unless other provision is made by law),³⁷ and notaries public.³⁸ He records timber brands,³⁹ certificates of patents granted by the United States Patent Office,⁴⁰ firearms permits,⁴¹ assumed business names,⁴² appointments of railroad agents for service of process,⁴³ and termination of authority of railroad policemen.⁴⁴ He records marriage licenses, the applications therefor, and certificates of marriage;⁴⁵ and makes monthly reports to county health officer concerning marriages for the preceding month.⁴⁶ He registers certificates of

²⁰ Acts of Congress 1906, 1911, 1913; U. S. C., title 8, sec. 357. Acts of Congress 1906; U. S. C., title 8, sec. 400. U. S. Executive Order (June 10, 1933) 6166, sec. 14. Acts 1933, 1937; Burns, 1938 suppl., 49-1007; Baldwin, 1937 suppl., 7537.

²¹ Acts 1895, 1897, 1899; Burns 4-1209; Baldwin 1525.

²² Rev. Laws 1831, ch. 25, sec. 7. 1 Rev. Stat. 1852, ch. 92, sec. 1. 2 Rev. Stat. 1852, pt. 1, ch. 8, sec. 43.

²³ 2 Rev. Stat. 1852, pt. 1, ch. 8, secs. 25, 26. Acts 1873; Burns 4-328; Baldwin 1417.

²⁴ Acts 1899; Burns 26-516; Baldwin 5380.

²⁵ Acts 1933, 1935; Burns, 1938 suppl., 29-306; Baldwin, 1935 suppl., 7304.

²⁶ Board of primary election commissioners. Acts 1915, 1917; Burns 29-504; Baldwin 7190. Board of election commissioners. Acts 1899; Burns 29-1002; Baldwin 7109. Board of canvassers. Acts 1905; Burns 29-1402; Baldwin 7378.

²⁷ 1 Rev. Stat. 1852; Burns 44-201; Baldwin 5622.

²⁸ Acts 1881, ch. 19, secs. 10, 11. Acts 1897; Burns 63-1303; Baldwin 10705.

²⁹ Acts 1897; Burns 63-1309; Baldwin 10709.

³⁰ Acts 1901; Burns 63-1316; Baldwin 10716.

³¹ Acts 1927; Burns 63-1312; Baldwin 10713.

³² Acts 1899, ch. 211, secs. 5, 7 to 11. Acts 1913, 1931, 1935; Burns, 1938 suppl., 63-504; Baldwin, 1935 suppl., 5589.

³³ Acts 1907, 1935; Burns, 1938 suppl., 63-1011; Baldwin 1935 suppl., 13182.

³⁴ Acts 1937; Burns, 1938 suppl., 11-1403; Baldwin, 1937 suppl., 8229-3.

³⁵ Acts 1917, 1929, 1932 (Spec. Sess.); Burns 42-802; Baldwin 10486.

³⁶ Acts 1905; Burns 42-703; Baldwin 10462.

³⁷ 1 Rev. Stat. 1852; Burns 49-105; Baldwin 13063. Acts 1857; Burns 49-124; Baldwin 13077. 2 Rev. Stat. 1852; Burns 49-2706; Baldwin 1433.

³⁸ 1 Rev. Stat. 1852, Acts 1855; Burns 49-3503; Baldwin 13016.

³⁹ Acts 1901; Burns 51-338; Baldwin 13265.

⁴⁰ Acts 1869 (Spec. Sess.), 1899; Burns 51-401; Baldwin 2772.

⁴¹ Acts 1935, 1937; Burns, 1938 suppl., 10-4738; Baldwin, 1937 suppl., 2569-5.

⁴² Acts 1909; Burns 50-201, 50-202; Baldwin 13210, 13211.

⁴³ Acts 1877 (Spec. Sess.); Burns 55-3301 to 55-3303; Baldwin 14329 to 14331.

⁴⁴ Acts 1927; Burns 55-3408; Baldwin 14654.

⁴⁵ Acts 1905, 1917; Burns 44-205; Baldwin 5625.

⁴⁶ Acts 1881, ch. 19, sec. 11. Acts 1907, 1913; Burns 35-115; Baldwin 8398.

trained nurses,⁴⁷ and keeps a register of estrays and articles adrift.⁴⁸ Formerly, he issued licenses for veterinarians⁴⁹ and petty money lenders,⁵⁰ and kept a register of certificates of agents of foreign insurance companies.⁵¹

The clerk keeps a cashbook,⁵² a daily balance record,⁵³ and a register of fees received by him;⁵⁴ and must preserve in his office all records and writings appertaining to his official duties.⁵⁵



Photo by R. I. Nation

CLERK'S VAULT, LA PORTE COUNTY COURTHOUSE

⁴⁷ Acts 1905, 1913, 1931; Burns 63-903; Baldwin 13036.

⁴⁸ 1 Rev. Stat. 1852; Burns 51-306, 51-315; Baldwin 13233, 13243.

⁴⁹ Acts 1901, ch. 189, sec. 7 (repealed by Acts 1905, ch. 98, sec. 17).

⁵⁰ Acts 1913, ch. 167, secs. 1 to 4 (repealed by Acts 1917, ch. 125, sec. 6).

⁵¹ Acts 1865, 1877, 1899; Burns 39-1701; Baldwin 9567 (repealed by Acts 1935, ch. 162, sec. 276).

⁵² Acts 1879 (Spec. Sess.); Burns 49-2722; Baldwin 1442.

⁵³ Acts 1937; Burns, 1938 suppl., 61-623; Baldwin, 1937 suppl., 13844-44.

⁵⁴ Acts 1879 (Spec. Sess.); Burns 49-2723; Baldwin 1443.

⁵⁵ 2 Rev. Stat. 1852; Burns 49-2706; Baldwin 1433.

OFFICIAL BONDS

(See also entries 290-93)

28. OFFICIAL BOND INDEX, 1889—. 2 vols. (1, 2).

Partial index to County Officials' Bond Record, entry 29; Notary Bond, entry 30; Justice Bond Record, entry 32; Constable Bond Record, entry 33; Miscellaneous Bonds, entry 35; Recognizance Bond, entry 122; Administrators' Bonds, Oaths and Letters, entry 134; Administrators' Additional Bond to Sell Real Estate, entry 135; Executor's Bond, entry 136; Executors' Additional Bond to Sell Real Estate, entry 137; Guardians' Bonds, entry 138; and Guardians' Additional Bond to Sell Real Estate, entry 139; showing date of appointment or election, names of office, official and sureties, date and amount of bond, and volume and page reference to recording. Arr. alph. by names of sureties. Hdw. 400 pp. 18 x 12 x 2. 1 vol., 1889-Oct. 17, 1934, clk. vt.; 1 vol., Oct. 18, 1934—, clk. off.

29. COUNTY OFFICIALS' BOND RECORD, 1834—, 3 vols.

Title varies: 1834-1906, County Officials' Bonds.

Record of bonds posted by county and township officials, showing date, amount, term and conditions of bond; and names of official and sureties. Also contains: Notary Bonds, 1834-53, entry 30; Justice Bond Record, 1834-53, entry 32; Constable Bond Record, 1834-53, entry 33; Miscellaneous Bonds, 1834-53, entry 35; and Recognizance Bond, 1834-53, entry 122. Arr. chron. by dates of bonds. Indexed alph. by names of officials; for separate index, 1889—, see entry 28. Hdw. 500 pp. 18 x 12 x 2. 2 vols., 1834-Dec. 30, 1922, bsmt. rec. rm. 2. 1 vol., 1881—, clk. off.

30. NOTARY BOND, 1874—. 7 vols. (A-G).

1834-53, in County Officials' Bond Record, entry 29; 1854-73, in Constables, Justices, and Miscellaneous Bonds, entry 34.

Record of bonds posted by notaries public, showing date, amount and conditions of bond, names of notary and sureties, and term of commission. Arr. chron. by dates of bonds. Indexed alph. by names of notaries. Hdw. 500 pp. 18 x 12 x 2. 4 vols., 1874-Dec. 21, 1927, bsmt. rec. rm. 2; 3 vols., Dec. 29, 1927—, clk. vt.

31. NOTARY BONDS, 1923—. 4 file boxes.

Original bonds posted by notaries public, showing date of filing, date, amount and conditions of bond, names of notary and sureties, and term of commission. Arr. chron. by dates of filing. Hdw. and typed. 11 x 5 x 14. 3 file boxes, 1923-Sept. 23, 1937, clk. vt.; 1 file box, Sept. 24, 1937—, clk. off.

32. JUSTICE BOND RECORD, 1882—. 1 vol. 1834-53 in County Officials' Bond Record, entry 29; 1854-81, see entry 34.

Record of bonds posted by justices of the peace, showing date, amount and conditions of bond, and names of justice and sureties. Arr. chron. by dates of bonds. Indexed alph. by names of justices. Hdw. 400 pp. 18 x 12 x 2. Clk. off.

33. CONSTABLE BOND RECORD, 1882—. 1 vol. 1834-53 in County Officials' Bond Record, entry 29; 1854-81, see entry 34.

Record of bonds posted by constables, showing date, amount and condi-

tions of bond, and names of constable and sureties. Arr. chron. by dates of bonds. Indexed alph. by names of constables. Hdw. 300 pp. 18 x 12 x 2. Clk. vt.

34. CONSTABLES, JUSTICES AND MISCELLANEOUS BONDS, 1854-81. 2 vols. 1834-53 in County Officials' Bond Record, entry 29; Record of constables', justices', receivers', drainage commissioners', mayors', commissioners' bonds to sell real estate, construction commissioners', trustees' of estates and attachment bonds, showing date, amount and conditions of bond, and names of principal and sureties. Also contains: Notary Bonds, 1854-73, entry 30; Recognizance Bond, 1854-81, entry 122. Arr. chron. by dates of bonds. Indexed alph. by names of principals. Hdw. 500 pp. 18 x 12 x 2. Bsmt. rec. rm. 2.

For subsequent constable bond records, see entry 33; justice bond records, see entry 32; miscellaneous bond records, see entry 35.

35. MISCELLANEOUS BONDS, 1899—. 2 vols. (2, 3). 1834-53 in County Officials' Bond Record, entry 29; 1854-81 in Constable, Justice, and Miscellaneous Bonds, entry 34. Record of miscellaneous bonds, including receivers', drainage commissioners', mayors', commissioners' bonds to sell real estate, construction commissioners', trustees' of estate and attachment bond, showing date, amount and conditions of bond, and names of principals and sureties. Also contains: Cost Bond, 1924—, entry 153. Arr. chron. by dates of bonds. Indexed alph. by names of principals. Hdw. and typed. 500 pp. 18 x 12 x 2. 1 vol., 1899-Nov. 18, 1922, bsmt. rec. rm. 2; 1 vol., Nov. 20, 1922—, clk. off.

LICENSES AND CERTIFICATES

MARRIAGE

(See also entry 318)

36. MARRIAGE RECORD, 1832—. 42 vols. (A-M, O-Z, 1-17). Record of applications for and issuances of marriage licenses and returns of marriage certificates, showing dates of application, license, marriage and certificate, names, addresses, color, dates and places of birth, family histories, occupations and previous marital status of bride and groom, names, addresses, birthplaces, occupations and color of parents of bride and groom, parent's or guardian's consent to marriage, place of marriage, and name and title of person officiating. Arr. chron. by dates of applications. Indexed alph. by names of brides and grooms. Hdw. 500 pp. 18 x 10 x 2. 40 vols., 1832-Jan. 28, 1938, clk. vt.; 2 vols., Jan. 29, 1938—, clk. off.

37. MARRIAGE LICENSE APPLICATION, 1905—. 46 vols. (1-39, A, B, and 5 vols. not numbered). Original applications for marriage licenses, 1905—, and certificates of marriage, 1932—, showing dates of application, marriage and certificate, names, addresses, color, dates and places of birth, family histories, occupations and previous marital status of bride and groom, names, addresses, birthplaces, occupations and color of parents of bride and groom, parent's or guardian's consent to marriage, place of marriage, and name and title of person officiating. Arr. chron. by dates of applications. No

index. Hdw. 500 pp. 18 x 10 x 2. 44 vols., 1905-July 28, 1937, clk. vt.; 2 vols., July 29, 1937—, clk. off.

38. MARRIAGE RETURNS, 1834-1931. 46 bdls., 2 file boxes. Discontinued in 1931. 1932— in Marriage License Application, entry 37.

Original certificates of marriage returned to clerk by parties officiating, showing date of certificate, date and place of marriage, names of bride, groom and witnesses, and name and title of person officiating. Arr. chron. by dates of certificates. No index. Hdw. Bdls., 4 x 8 x 10; file boxes, 11 x 5 x 14. 46 bdls., 1834-Jan. 24, 1928, bsmt. rec. rm. 1; 2 file boxes, Jan. 25, 1928-31, clk. vt.

PHYSICIANS

39. RECORD OF PHYSICIANS LICENSES, 1885—. 3 vols.

Original certificates issued by state board of medical registration and examination and record of licenses issued by county clerk to practice in county, showing dates of certificate and license, names of physician and college attended, and nature of practice. Arr. chron. by dates of licenses. Indexed alph. by names of physicians. Hdw. 250 pp. 10 x 16 x 1½. 1 vol., 1885-Apr. 1897, bsmt. rec. rm. 2; 2 vols., July 1897—, clk. off.

40. REGISTER OF PHYSICIANS, 1881-97. 1 vol. Discontinued.

Register of physicians and accoucheurs practicing in county, showing date of registration and names and addresses of physician and accoucheur. Arr. chron. by dates of registration. Indexed alph. by names of physicians and accoucheurs. Hdw. 250 pp. 10 x 16 x 1½. Bsmt. rec. rm. 2.

DENTISTS

41. RECORD OF DENTIST LICENSE, 1899—. 1 vol.

Original certificates issued by state board of dental examiners and record of licenses issued by clerk to practice in county, showing dates and numbers of certificate and license, name, age, address and birthplace of dentist, and name of school attended. Arr. chron. by dates of licenses. Indexed alph. by names of dentists. Hdw. 142 pp. 16 x 10 x 1. Clk. off.

OPTOMETRISTS

42. REGISTER OF OPTOMETRISTS LICENSES, 1907—. 1 vol.

Original certificates issued by state board of registration and examination in optometry and record of licenses issued by clerk to practice in county, showing dates of certificate and license, name and address of optometrist, and certificate number. Arr. chron. by dates of licenses. Indexed alph. by names of optometrists. Hdw. 250 pp. 16 x 9 x 1. Clk. off.

NURSES

43. REGISTER OF TRAINED NURSES, 1906—. 1 vol.

Register of trained nurses licensed to practice in county, showing dates of registration and license, name and address of nurse, and certificate number. Arr. chron. by dates of registration. No index. Hdw. 250 pp. 11 x 8 x 1. Clk. off.

VETERINARIANS

44. REGISTER OF VETERINARY SURGEONS, 1901-13. 1 vol. Discontinued. Transferred to state livestock sanitary board.

Register of veterinary surgeons licensed to practice in county, showing date of registration and names and addresses of veterinarian and college attended. Arr. chron. by dates of registration. Indexed alph. by names of veterinarians. Hdw. 136 pp. 14 x 8½ x ½. Clk. off.

COMMERCIAL

45. APPLICATION FOR JUNK DEALERS LICENSES, 1905—. 3 vols.

Record of applications for and issuances of licenses to purchase junk in county, showing dates of application and license, name of dealer, location of business, and duration of license. Arr. chron. by dates of applications. No index. Hdw. 100 pp. 14 x 9 x 1. 1 vol., 1905-Mar. 1924, clk. vt.; 2 vols., Aug. 1924—, clk. off.

46. RECORD OF POULTRY DEALERS LICENSES, 1917—. 1 vol.

Record of applications for and issuances of licenses to purchase poultry, showing dates of application and license, names of applicant and dealer, location of business, and duration of license. Arr. chron. by dates of applications. Indexed alph. by names of dealers. Hdw. 200 pp. 11 x 8½ x 1. Clk. off.

47. PATENT RIGHT RECORD, 1869—. 1 vol. Last entry 1913.

Record of certificates of patent granted by U. S. Patent Office, showing dates of certificate and recording, name, age, address and occupation of patentee, and number, kind and description of patent. Arr. chron. by dates of recording. Indexed alph. by names of patentees. Hdw. 400 pp. 18 x 12 x 2. Bsmt. rec. rm. 1.

48. PATENT RIGHT PAPERS, 1869-1913. 1 bdl.

Certified copies of certificates of patent granted by U. S. Patent Office, showing dates of certificate and recording, name, age, address and occupation of patentee, and number, kind and description of patent. Arr. chron. by dates of recording. No index. Hdw. 4 x 8 x 10. Bsmt. rec. rm. 1.

49. PETTY MONEY LENDERS LICENSES, 1913-17. 1 vol. 1918-32 issued by auditor of state; 1933— issued by state department of financial institutions.

Stubs of licenses issued by clerk to firms in small loan business, showing date and number of license and name and address of firm. Arr. chron. by dates of licenses. No index. Hdw. 300 pp. 14 x 9 x 1. Clk. vt.

50. REGISTER OF INSURANCE CERTIFICATES, 1875-1920. 3 vols. (2, 3, and 1 vol. not numbered). Discontinued. Agents' licenses as now issued by state are valid in every county.

Record of certificates issued agents of insurance companies to transact business in county, showing dates of certificate and filing, names of insurance company and agent, addresses of home and local office, and financial statement of company. Arr. chron. by dates of filing. Indexed alph. by names of insurance companies. Hdw. 500 pp. 18 x 12 x 2. Bsmt. rec. rm. 2.

51. INSURANCE CERTIFICATES, 1881-1920. 8 bdls. Discontinued. Agents' licenses as now issued by state are valid in every county.

Certificates issued by auditor of state to agents of insurance companies to transact business in county, showing date and number of certificate, names of company and agent, statement of financial condition of company, and local and home office addresses of company. Arr. chron. by dates of certificates. No index. Hdw. 4 x 8 x 10. Bsmt. rec. rm. 1.

52. RECORD OF APPLICATIONS FOR SIRE'S LICENSE, 1889—. 1 vol. Last entry 1914.

Record of applications for and issuances of licenses to stallion owners for improved livestock breeding, showing dates of application and license, names of owner and stallion, and description, pedigree and birthdate of stallion. Arr. chron. by dates of applications. Indexed alph. by names of owners. Hdw. 200 pp. 18 x 12 x 2. Clk. vt.

For sire lien record, see entry 77.

FIREARMS

53. GUN PERMITS, 1925—. 3 file boxes.

Applications for permits to carry firearms and reports of dealers of sale of firearms, showing dates of application, permit, report and sale, names of applicant and dealer, description of applicant, and model, caliber and manufacturer's number of firearm. Arr. chron. by dates of applications and reports. No index. Hdw. 11 x 5 x 14. 2 file boxes, 1925-36, clk. vt.; 1 file box, 1937—, clk. off.

BUSINESS ASSOCIATIONS

(See also entry 80)

54. REGISTER OF CERTIFICATES OF PARTNERSHIPS, 1909—. 1 vol.

Record of firms or partnerships engaged in business under names other than their own, showing date of registration, name of firm or partnership, names and addresses of members, and nature and location of business. Arr. chron. by dates of registration. Indexed alph. by names of firms or partnerships. Hdw. 500 pp. 18 x 12 x 2. Clk. off.

MISCELLANEOUS

55. ESTRAY RECORD, 1833—. 2 vols. Last entry 1907.

Transcripts of notices of finding of strayed animals, showing dates of finding and notice, names of finder and appraisers, description and appraised valuation of animal, place where found, amount of expense claimed by finder, and disposition of animal. Arr. chron. by dates of notices. No index. Hdw. 200 pp. 9 x 14 x 1. Bsmt. rec. rm. 2.

56. ESTRAY NOTICES, 1836-1907. 1 bdl.

Notices of finding of strayed animals, showing dates of notice and finding, name of finder, description of animal, place where found, and amount of expense claimed by finder. Arr. chron. by dates of notices. No index. Hdw. 4 x 8 x 10. Bsmt. rec. rm. 1.

RECEIPTS AND DISBURSEMENTS

57. CLERKS DAILY BALANCE, 1915—. 3 vols. (1, 3, 3).

Record of clerk's daily balance of receipts and disbursements, showing date of balance, amounts of receipts, disbursements, deposits and cash on hand, and names of depository and fund. Arr. chron. by dates of balances. No index. Hdw. 300 pp. 9 x 11 x 2. 2 vols., 1915-Mar. 26, 1921, clk. vt.; 1 vol., Mar. 28, 1921—, clk. off.

58. CASH RECORD OF RECEIPTS AND DISBURSEMENTS, 1870—. 16 vols.

Record of all daily receipts and disbursements, showing date, nature and amount of receipt or disbursement, receipt or check number, names of payer or payee and fund, and total receipts and disbursements. Arr. chron. by dates of receipts and disbursements. No index. Hdw. 500 pp. 18 x 12 x 2. 5 vols., 1870-Sept. 7, 1911, bsmt. rec. rm. 2; 11 vols., Sept. 8, 1911—, clk. vt.

IV. RECORDER

The recorder is a constitutional officer elected for a four-year term by the voters of the county. The office was created by the Constitution of 1816, and re-created by the Constitution of 1851. No person is eligible to hold the office of the recorder for more than eight years in any twelve-year period. The recorder is required to post bond in the amount of \$4,000.¹

The recorder records the following documents: Deeds;² land patents;³ mortgages, and satisfactions, releases, and assignments thereof;⁴ federal tax lien notices, and satisfactions and releases thereof;⁵ satisfactions of vendors' liens;⁶ statutory liens of laborers, materialmen,⁷ and owners

¹ Const., 1816, art. 11, sec. 10. Const., art. 6, sec. 2. 1 Rev. Stat. 1852, Acts 1901; Burns 49-3201; Baldwin 5469.

At the first election, held on April 9, 1832, George Thomas was elected recorder and clerk of the circuit court, as authorized by Const. 1816, art. 11, sec. 10. *History of La Porte County* (1880), 556, 558.

² Acts 1881 (Spec. Sess.); Burns 2-1626, 3-1008; Baldwin 267, 894. 1 Rev. Stat. 1852; Burns 49-3210, 56-118, 56-131; Baldwin 5475, 14664, 14665. 1 Rev. Stat. 1852, Acts 1875, 1913, 1921, 1923; Burns 56-119; Baldwin 14671. Cemetery records. 1 Rev. Stat. 1852; Burns 25-1521, 25-1522; Baldwin 10600, 10602. Acts 1925; Burns 21-233; Baldwin 4648.

³ Acts 1881; Burns 2-1632; Baldwin 271.

⁴ Acts 1937; Burns, 1938 suppl., 2-625; Baldwin, 1937 suppl., 61-2c. Acts 1905; Burns 49-3203, 49-3204; Baldwin 5472, 5473. 1 Rev. Stat. 1852; Burns 49-3210; Baldwin 5475. 1 Rev. Stat. 1852, Acts 1875, 1913, 1921, 1923; Burns 56-119; Baldwin 14671. 1 Rev. Stat. 1852; Burns 56-122; Baldwin 14673. 2 Rev. Stat. 1852; Burns 56-708; Baldwin 992. Acts 1901; Burns 56-709, 56-710; Baldwin 993, 994. Acts 1925; Burns 56-712, 56-713; Baldwin 10575, 10576. 2 Rev. Stat. 1852, Acts 1877; Burns 56-715; Baldwin 996. Acts 1877; Burns 56-716; Baldwin 998. Acts 1899; Burns 56-717; Baldwin 997. Chattel mortgages. Acts 1935; Burns, 1938 suppl., 51-504 to 51-515; Baldwin, 1935 suppl., 13227-4 to 13227-15.

⁵ Acts 1925; Burns 49-3221 to 49-3225; Baldwin 10570 to 10574.

⁶ Acts 1937; Burns, 1938 suppl., 2-625; Baldwin, 1937 suppl., 61-2c. Acts 1889; Burns 56-144, 56-145; Baldwin 14702, 14703.

⁷ Acts 1909; Burns 43-703, 43-704; Baldwin 10507, 10508.

of stallions;⁸ conditional sales contracts;⁹ leases;¹⁰ powers of attorney;¹¹ probated wills;¹² maps and plats;¹³ surveys establishing a meridian line;¹⁴ surveyor's field notes;¹⁵ decrees quieting title to lands;¹⁶ farm names;¹⁷ marks and brands of animals;¹⁸ limited partnerships;¹⁹ indentures of apprentices;²⁰ notices of disputes of easements;²¹ soldiers' and sailors' discharge papers;²² old-age assistance awards;²³ corporate charters and proceedings;²⁴ and documents concerning railroads.²⁵

The forms and methods to be used by the recorder are described in detail in the statutes. He keeps an entry book in which he enters, as filed, all instruments delivered to him for recording, noting the day and hour received, which time is the legal date of recording.²⁶ He keeps a fee book and a cashbook, and enters therein, as received, all money received in his office.²⁷ He is required to index the deeds, mortgages, and other instruments recorded by him.²⁸

ENTRY OF INSTRUMENTS FOR RECORDING

59. ENTRY BOOK, 1833—. 44 vols. (1-12, 14-16, 1-29).

Record of all instruments filed for recording, showing number and kind of instrument, date and time of filing, names of principals, location and description of property, amount of fee, and volume and page reference to recording. Arr. numerically by instrument nos. No index. Hdw. 388 pp. 13 x 8 x 1. Recr. vt.

⁸ Acts 1913, 1933; Burns 16-910; Baldwin 3793.

⁹ Acts 1935; Burns, 1938 suppl., 58-806, 58-809 to 58-811; Baldwin, 1935 suppl., 14857-5, 14857-8 to 14857-10.

¹⁰ 1 Rev. Stat. 1852; Burns 56-118; Baldwin 14664. 1 Rev. Stat. 1852, Acts 1875, 1913, 1921, 1923; Burns 56-119; Baldwin 14671. Acts 1897; Burns 56-120.

¹¹ Acts 1883; Burns 49-1309, 56-108, 56-109; Baldwin 14733, 14729, 14732. 1 Rev. Stat. 1852; Burns 56-106, 56-107, 56-137; Baldwin 14730, 14731.

¹² Acts 1891; Burns 7-712; Baldwin 3413. Acts 1933; Burns 7-713; Baldwin 3414.

¹³ Acts 1881 (Spec. Sess.); Burns 6-1127; Baldwin 3168. Acts 1925; Burns 21-219; Baldwin 4644. Acts 1905; Burns 48-801, 48-802; Baldwin 12473, 12474. 1 Rev. Stat. 1852; Burns 25-1522, 49-3232; Baldwin 10602, 5432.

¹⁴ Acts 1895; Burns 49-3327 to 49-3329; Baldwin 10849 to 10851.

¹⁵ 1 Rev. Stat. 1852, Acts 1925; Burns 49-3205; Baldwin 5470. 1 Rev. Stat. 1852, Acts 1911; Burns 49-3309; Baldwin 5508.

¹⁶ Acts 1911; Burns 3-1409; Baldwin 968.

¹⁷ Acts 1913; Burns 49-3226 to 49-3230; Baldwin 5488 to 5492.

¹⁸ 1 Rev. Stat. 1852; Burns 49-3231; Baldwin 5474.

¹⁹ Acts 1859; Burns 50-104, 50-106, 50-112; Baldwin 13195, 13197, 13209.

²⁰ 1 Rev. Stat. 1852; Burns 49-3210; Baldwin 5475.

²¹ 1 Rev. Stat. 1852; Burns 56-804; Baldwin 14775.

²² Acts 1925; Burns 59-1002 to 59-1004; Baldwin 11002 to 11004.

²³ Acts 1936 (Spec. Sess.); Burns, 1938 suppl., 52-1207; Baldwin, 1937 suppl., 14078-38.

²⁴ Acts 1929; Burns 25-219; 25-228, 25-235, 25-241, 25-242, 25-305, 25-309, 25-311; Baldwin 4919, 4928, 4935, 4941, 4942, 4963, 4967, 4969.

²⁵ 1 Rev. Stat. 1852; Burns 55-2302; Baldwin 14219. Acts 1853; Burns 55-2402, 55-3202; Baldwin 14249, 14299. Acts 1889, 1911; Burns 55-3106 to 55-3110; Baldwin 14637 to 14641. Acts 1893; Burns 55-3507, 55-3508; Baldwin 14110, 14111. Acts 1891; Burns 55-3716 to 55-3718; Baldwin 15449 to 15451. Acts 1899; Burns 55-4002; Baldwin 55470.

²⁶ 1 Rev. Stat. 1852, Acts 1925; Burns 49-3205; Baldwin 5470. 1 Rev. Stat. 1852; Burns 49-3211; Baldwin 14665.

²⁷ Acts 1895; Burns 49-1401; Baldwin 7576.

²⁸ 1 Rev. Stat. 1852; Burns 49-3209, 49-3217, 49-3218; Baldwin 5471, 5481, 5482. 1 Rev. Stat. 1852, Acts 1855; Burns 49-3216; Baldwin 5480.

LAND TRANSFERS

DEEDS AND TITLES

60. GENERAL INDEX OF DEEDS, 1833—. 52 vols. (1-26, 1-26).

General index to Deed Record, entry 61; Sheriff's Deeds, entry 62; Tax Title Deeds, entry 63; Quiet Title Deeds, entry 64, showing dates of deed and recording, kind of deed, names of grantor and grantee, location and description of property, and volume and page reference to recording. 26 vols. arr. alph. by names of grantors; 26 vols. arr. alph. by names of grantees. Hdw. 500 pp. 18 x 12 x 2. Recr. vt.

61. DEED RECORD, 1833—. 200 vols. (A-Z, AA, BB, 1-172).

Transcripts of deeds for conveyance of titles to real property, showing dates of deed and recording, names of grantor and grantee, location and description of property, and amount of consideration. Also contains: Sheriff's Deeds, 1833-94, entry 62; Tax Title Deeds, 1833-62, entry 63; Quiet Title Deeds, 1833-1910, entry 64; La Porte County Plats, 1833-50, entry 67; Mortgage Record, 1833-43, entry 70; School Fund Mortgages, 1833-43, entry 71; Chattel Mortgage Record, 1833-43, entry 75; Record of Mechanics' Liens, 1833-53, entry 76; Miscellaneous Records, 1833-55, entry 81. Arr. chron. by dates of recording. Indexed alph. by names of grantors and grantees; for separate index, see entry 60. 1833-Jan. 26, 1901, hdw.; Jan. 27, 1901—, typed. 600 pp. 18 x 12 x 2. Recr. vt.

For deeds of real property transferred from St. Joseph County to La Porte County, see entry 65.

62. SHERIFF'S DEEDS, 1895—. 3 vols. (43-45). 1833-94 in Deed Record, entry 61.

Record of deeds for conveyance of titles to property sold to satisfy judgments, showing dates of sale, deed and recording, names of grantor and grantee, location and description of property, and amount of consideration. Arr. chron. by dates of recording. Indexed alph. by names of grantors and grantees; for separate index, see entry 60. 1895-Mar. 25, 1927, hdw.; Mar. 26, 1927—, typed. 600 pp. 18 x 12 x 2. Recr. vt.

63. TAX TITLE DEEDS, 1863—. 3 vols. (A-C). 1833-62 in Deed Record, entry 61.

Transcripts of deeds for conveyance of titles to property sold for non-payment of taxes, showing dates of sale, deed and recording, names of grantor and grantee, location and description of property, and amount of consideration. Arr. chron. by dates of recording. Indexed alph. by names of grantors and grantees; for separate index, see entry 60. 1863-Sept. 7, 1927, hdw.; Sept. 8, 1927—, typed. 500 pp. 18 x 12 x 2. Recr. vt.

For tax sale record, see entry 277.

64. QUIET TITLE DEEDS, 1911—. 7 vols. (1-7). 1833-1910 in Deed Record, entry 61.

Transcripts of judgments rendered in court actions involving titles to real property, showing dates of action, judgment and recording, cause number, names of plaintiff, defendant, attorneys and witnesses, and location and description of property. Arr. chron. by dates of recording. Indexed alph. by names of plaintiffs and defendants; for separate index, see entry 60. Typed. 587 pp. 18 x 12 x 2. Recr. vt.

65. TRANSCRIPT RECORD, 1857, 1882. 2 vols. (A, 1).

Transcripts of deeds for conveyance of titles to real property transferred from Saint Joseph County to La Porte County, showing dates of deed and recording, names of grantor and grantee, and location and description of property. Arr. chron. by dates of recording. Indexed alph. by names of grantors and grantees. Hdw. 400 pp. 18 x 12 x 2. Recr. vt.

For all other La Porte County deeds, see entry 61.

PLATS

66. GENERAL INDEX OF PLATS, 1833—. 1 vol.

General index to plats in Deed Record, 1833-50, entry 61, and La Porte County Plats, 1851—, entry 67, showing names of township, town and addition or subdivision, and volume and page reference to recording. Arr. alph. by names of plats, additions and subdivisions. Typed. 200 pp. 17 x 11 x 2. Recr. vt.

67. LA PORTE COUNTY PLATS, 1851—. 7 vols. 1833-50 in Deed Record, entry 61.

Blueprint drawings of land in La Porte County, including cities, towns, villages, additions, subdivisions, and cemeteries, showing date of plat, names of city, town, township, village, additions, subdivision and cemetery, range, township and section numbers, and location and description of property. Arr. by range nos., thereunder by twp. nos. For index, see entry 66. Blueprint. 100 pp. 24 x 17 x 1½. Recr. vt.

68. PLAT BOOK OF ALL LANDS IN LA PORTE COUNTY, IND. SURVEYED BY U. S. GOVERNMENT, 1829-35. 1 vol.

Transcripts of plat drawings of original government survey of La Porte County, showing township, range, and section numbers, locations of swamps, marshes and cemeteries, and meanders of lakes, rivers and streams. Arr. by range nos., thereunder by twp. nos. No index. Hand drawn. 28 pp. 19 x 24 x 1. Recr. vt.

For original government surveys, see entry 347.

MORTGAGE TRANSACTIONS

REAL ESTATE

69. GENERAL INDEX OF MORTGAGES, 1833—. 37 vols. (1-22, 1-15).

General index to mortgages recorded in Deed Record, entry 61, Mortgage Record, entry 70, School Fund Mortgages, entry 71, Chattel Mortgage Minute Book, entry 73, and Chattel Mortgage Record, entry 75, showing date, number and kind of mortgage, names of mortgagor and mortgagee, location and description of property, and volume and page reference to recording. Arr. alph. by names of mortgagors and mortgagees. Hdw. 500 pp. 18 x 12 x 2. Recr. vt.

70. MORTGAGE RECORD, 1844—. 160 vols. 1833-43 in Deed Record, entry 61.

Transcripts of mortgages executed to secure loans on real property, showing dates of mortgage, satisfaction, release or assignment and recording, names of mortgagor and mortgagee, location and description of property, and amount and conditions of mortgage. Also contains: School Fund Mortgages, 1844-53, entry 71; Chattel Mortgage Record,

1844-60, entry 75. Arr. chron. by dates of recording. Indexed alph. by names of mortgagors and mortgagees; for separate index, see entry 69. 1844-Jan. 24, 1901, hdw.; Jan. 25, 1901—, typed. 640 pp. 18 x 12 x 2. Recr. vt.

71. SCHOOL FUND MORTGAGES, 1854—. 7 vols. (1-7). 1833-43 in Deed Record, entry 61; 1844-53 in Mortgage Record, entry 70.

Transcripts of mortgages executed to secure school fund loans, showing dates of mortgage, maturity and recording, name of mortgagor, location and description of property, amount of mortgage, and rate of interest. Arr. chron. by dates of recording. Indexed alph. by names of mortgagors; for separate index, see entry 69. 1854-Nov. 26, 1926, hdw.; Nov. 27, 1926—, typed. 500 pp. 18 x 12 x 2. Recr. vt.

For original mortgages, see entry 225.

72. SINKING FUND MORTGAGES, 1872-75. 1 vol.

Transcripts of mortgages executed to secure school sinking fund loans, showing dates of mortgage, maturity and recording, name of mortgagor, location and description of property, amount and conditions of mortgage, and rate of interest. Arr. chron. by dates of recording. Indexed alph. by names of mortgagors. Hdw. 500 pp. 17 x 10 x 2. Recr. vt.

CHATTEL

73. RECORDER'S CHATTEL MORTGAGE MINUTE BOOK, 1935—. 3 vols. (186, 190, 195).

Abstracts of mortgages executed to secure loans on personal property, showing dates of mortgage, filing and maturity, time of filing, number and amount of mortgage, names of mortgagor and mortgagee, and description of property. Arr. numerically by mortgage nos. Indexed alph. by names of mortgagors and mortgagees; for separate index, see entry 69. Hdw. 600 pp. 18½ x 12 x 2½. Recr. off.

For prior records, see entry 75.

74. CHATTEL MORTGAGE FILE, 1935—. 3 file drawers.

Original chattel mortgages executed to secure loans on personal property, showing dates of mortgage and maturity, number, amount and conditions of mortgage, rate of interest, names of mortgagor and mortgagee, and description of property. Arr. numerically by mortgage nos. No index. Hdw. and Typed. 11½ x 16½ x 24. Recr. vt.

75. CHATTEL MORTGAGE RECORD, 1861-Nov. 24, 1935. 64 vols. 1833-43 in Deed Record, entry 61; 1844-60 in Mortgage Record, entry 70.

Transcripts of mortgages executed to secure loans on personal property, showing dates of mortgage, maturity, satisfaction and recording, number, amount and conditions of mortgage, rate of interest, names of mortgagor and mortgagee, and description of property. Arr. chron. by dates of recording. Indexed alph. by names of mortgagors and mortgagees; for separate index, see entry 69. 1861-Jan. 24, 1901, hdw.; Jan. 25, 1901-Nov. 24, 1935, typed. 640 pp. 18 x 12 x 2. Recr. vt.

For subsequent records, see entry 73.

LIENS

76. RECORD OF MECHANICS LIENS, 1854-84. 2 vols. (1, 2). 1833-53 in Deed Record, entry 61; 1885— in Miscellaneous Records, entry 81.

Record of liens executed on property to secure payment of cost for labor and material, showing dates of lien and recording, amount of lien, itemized statement of labor and materials, names of lienor and lienee, and location and description of property. Arr. chron. by dates of recording. Indexed alph. by names of lienees. Hdw. 500 pp. 18 x 12 x 2. Recr. vt.

77. RECORD OF SIRE LIENS, 1890—. 1 vol. Last entry 1897.

Record of liens executed to insure payment of stallion service fees, showing dates of lien, service, recording and satisfaction, names of sire, dam and owners, description of dam, and amount of lien. Arr. chron. by dates of recording. Indexed alph. by names of owners. Hdw. 500 pp. 18 x 12 x 2. Recr. vt.

For sire license record, see entry 52.

MILITARY RECORDS

78. ENLISTMENT RECORD, 1914—. 2 vols. (1, 2).

Record of enlistment and discharge of soldiers, showing dates of enlistment, discharge and recording, place of enlistment, name, age, description and service record of soldier, and nature of discharge. Arr. chron. by dates of recording. Indexed alph. by names of soldiers. Hdw. 640 pp. 16 x 12 x 2. Recr. vt.

79. SOLDIERS DISCHARGE RECORD, 1854-99. 1 vol.

Record of soldiers' discharges from military service, showing dates of enlistment, discharge and recording, name, age and description of soldier, name of commanding officer, service record of soldier, places of enlistment and discharge, and nature of discharge. Arr. chron. by dates of recording. Indexed alph. by names of soldiers. Hdw. 600 pp. 18 x 12 x 2. Recr. vt.

BUSINESS ASSOCIATIONS

(See also entry 54)

80. CORPORATION RECORD, 1897-1905. 1 vol. 1856-96, 1906— in Miscellaneous Records, entry 81.

Transcripts of articles of incorporation granted to corporations operating in county, showing dates of instrument and recording, names of corporation and officers, nature of business, and amount and par value of stock. Arr. chron. by dates of recording. Indexed alph. by names of corporations. 1897-Feb. 15, 1900, hdw.; Feb. 16, 1900-1905, typed 580 pp. 18 x 12 x 2. Recr. vt.

MISCELLANEOUS RECORDS

81. MISCELLANEOUS RECORDS, 1856—. 37 vols. (1-37). 1835-55 in Deed Record, entry 61.

Transcripts of miscellaneous instruments, including liens, leases, wills, contracts, agreements, affidavits, petitions, assignments, resolutions, bills of sale, and powers of attorney, showing date, number, kind and condi-

tions of instrument, date of recording, and names of principals. Also contains: Record of Mechanics' Liens, 1885—, entry 76; Corporation Record, 1856-96, 1906—, entry 80. Arr. chron. by dates of recording. Indexed alph. by names of principals. 1856-Feb. 19, 1901, hdw.; Feb. 20, 1901—, typed. 500 pp. 18 x 12 x 2. Recr. vt.

For other will records, see entries 131, 184.

82. ABSTRACT OF OLD AGE ASSISTANCE CERTIFICATES FILED, 1936—.
1 vol.

Abstracts of certificates of award of old-age assistance establishing liens against property of recipients, showing dates of certificates and recording, name of recipient, and application and certificate numbers. Arr. alph. by names of recipients. No index. Hdw. 640 pp. 18 x 12 x 2. Recr. off.

For other old-age assistance records, see entries 262, 326-32, 344.

83. REGISTER OF FARM NAMES, 1913—. 1 vol. Last entry Nov. 5, 1934.

Record of names assigned to farms by owners for purpose of identifying farm and farm products, showing dates and time of filing and recording, location and description of farm, and names of farm and owner. Arr. chron. by dates of recording. Indexed alph. by names of owners. Hdw. 300 pp. 8 x 11 x 1. Recr. vt.

FEE AND CASH RECORDS

84. RECORDER'S FEE AND CASH BOOK, 1896—. 18 vols.

Record of fees collected for recording instruments, showing date of collection, number and kind of instrument, name of payer, and amount of fee. Arr. chron. by dates of collections. No index. Hdw. 600 pp. 18 x 12 x 2. Recr. vt.

NEWSPAPERS

85. THE LA PORTE HERALD ARGUS, 1924—. 53 vols.

Copies of daily newspapers procured by recorder containing publications ordered by county. Arr. chron. by dates of publications. Ptd. 24 x 17 x 2. 47 vols., 1924-36, bsmt. rec. rm. 2; 6 vols., 1937—, recr. vt.

86. LA PORTE WEEKLY HERALD, 1892-1924. 31 vols.

Copies of weekly newspapers procured by recorder containing publications ordered by county. Arr. chron. by dates of publications. Ptd. 23½ x 17 x 2. Bsmt. rec. rm. 2.

87. LA PORTE WEEKLY ARGUS, 1875-93. 7 vols.

Copies of weekly newspapers procured by recorder containing publications ordered by county. Arr. chron. by dates of publications. Ptd. 26 x 21 x 1½. Bsmt. rec. rm. 2.

88. THE LA PORTE CHRONICLE, 1880-87. 4 vols.

Copies of weekly newspapers procured by recorder containing publications ordered by county. Arr. chron. by dates of publications. Ptd. 23 x 17 x 1½. Bsmt. rec. rm. 2.

MAPS

89. LA PORTE COUNTY, 1933. 1 map.

Communications map of La Porte County, showing highways, railroads, lakes, rivers, ditches, cities, towns, villages, cemeteries, and schools. Drawn by John A. Kelly, La Porte. Blueprint. Scale: 1" to 1 mi. 39 x 28. Recr. off.

90. CITY OF LA PORTE, 1932. 1 map.

Political map of City of La Porte, showing names of subdivisions, streets, alleys, schools, public buildings and lakes, and description of public land within city. Drawn by Burtis P. Thomas, La Porte. Blueprint. Scale: 1" to 500'. 56 x 48. Recr. off.

91. MICHIGAN CITY, 1929. 1 map.

Political map of Michigan City, showing subdivisions, blocks and lots, public and industrial properties, and railroads, lakes and streams. Drawn by Herbert R. Peterson, Michigan City. Blueprint. Scale: 1" to 250'. 60 x 60. Recr. off.

V. CIRCUIT COURT

The circuit court, established by the Constitution of 1816 and re-established by the Constitution of 1851, consists of one judge and has such jurisdiction as is prescribed by law. The judge is elected by the voters of the judicial circuit for a six-year term.¹ La Porte County alone constitutes the thirty-second judicial circuit.² The official name of the court is "La Porte Circuit Court."³

When organized in 1832, La Porte County was attached to the first judicial circuit, composed of the counties of Carroll, Cass, Clinton, Fountain, La Porte, Montgomery, Parke, St. Joseph, Tippecanoe, Vermillion, and Warren.⁴ In 1833, the county was transferred to the eighth circuit, comprising the counties of Allen, Carroll, Cass, Elkhart, Huntington, La Grange, La Porte, Miami, St. Joseph, and Wabash.⁵ In 1839, the county was transferred to the ninth circuit, embracing the counties of Elkhart, Fulton, Kosciusko, Lake, La Porte, Marshall, Porter, and St. Joseph.⁶ In 1873, the county was transferred to the thirty-second circuit, composed of the counties of La Porte and St. Joseph.⁷ Ever since 1897, La Porte County alone has constituted the thirty-second circuit.⁸

Under the Constitution of 1816 and an act of 1831, the court consisted of a president judge, elected for the circuit by joint ballot of both houses of the general assembly, and two associate judges, elected in the

¹ Const. 1816, art. 5, secs. 1, 3-7. Const., art. 7, secs. 1, 8, 9. Acts 1881 (Spec. Sess.) ; Burns 4-301 ; Baldwin 1395.

² Acts 1897, ch. 13, sec. 1.

³ Acts 1881 (Spec. Sess.) ; Burns 4-302 ; Baldwin 1396.

⁴ Rev. Laws 1831, ch. 23, sec. 1. Acts 1831-32, ch. 157, sec. 1.

⁵ Acts 1832-33, ch. 3, sec. 1.

⁶ Acts 1838-39 (general), ch. 2, sec. 1.

⁷ Acts 1873, ch. 29, sec. 33.

⁸ Acts 1897, ch. 13, sec. 1.

county by the voters thereof.⁹ These judges were commissioned by the governor of the state, and held office for the term of seven years.¹⁰ Recess appointments were made by the governor when the general assembly was not in session.¹¹ The president alone, in the absence of the associate judges, or any two judges—the president and one associate judge or two associate judges, in the absence of the president—could hold a court; but the presence of the president was required in capital cases and cases in chancery.¹² The court's first session was held in October, 1832, at the home of A. B. Andrew.¹³ The court had general jurisdiction at law and in equity.¹⁴

A probate court, consisting of one judge, was established in La Porte County in 1832 under an act of 1831. It had exclusive original jurisdiction over probate of wills, settlement of decedents' estates, and guardianships. The judge was elected for a seven-year term by the voters of the county.¹⁵ This court was abolished in 1853.¹⁶

A court of common pleas, consisting of one judge, was established in La Porte County in 1853. The judge was elected for a four-year term by the voters of the common pleas district, composed of the counties of Lake, La Porte, and Porter.¹⁷ This court had exclusive original jurisdiction over probate of wills, settlement of decedents' estates, and guardianships; and had original jurisdiction at law and in equity, concurrent with the circuit court, over other matters (except felonies, slander, libel, breach of marriage contract, and actions to recover \$1,000 or more, of which the circuit court had exclusive original jurisdiction).¹⁸ This court was abolished in 1873, and its jurisdiction was transferred to the circuit court.¹⁹

The constitution provides for tribunals of conciliation with such powers and duties as may be prescribed by law, but without power to render an enforceable judgment in the absence of agreement of the parties to abide the judgment of such tribunal.²⁰ Accordingly, in 1852, the general assembly established in the county a court of conciliation, to be held by the judge of the court of common pleas. It had jurisdiction of claims and controversies submitted to it for the purpose of effecting a compromise or for determination. In cases of libel, slander, assault and battery, false imprisonment, and malicious prosecution, the complaining

⁹ Const. 1816, art. 5, secs. 3, 7. Rev. Laws 1831, ch. 22, sec. 2. See also: Acts 1816-17, ch. 2, sec. 2. Acts 1817-18 (general), ch. 2, sec. 2. Rev. Laws 1824, ch. 24, sec. 2. Rev. Stat. 1838, ch. 23, sec. 2. Rev. Stat. 1843, ch. 38, secs. 1-4.

¹⁰ Const. 1816, art. 5, sec. 4; art. 11, sec. 9.

¹¹ *Ibid.*, art. 4, sec. 9.

¹² *Ibid.*, art. 5, sec. 3.

¹³ Leander J. Monks, *Courts and Lawyers of Indiana*, 2:830.

¹⁴ Const. 1816, art. 5, sec. 3. Rev. Laws 1831, ch. 22, sec. 3. See also: Acts 1816-17, ch. 2, secs. 5-7; ch. 3, secs. 2, 3. Acts 1817-18 (general), ch. 2, secs. 5-7; chs. 3, 13. Rev. Laws 1824, ch. 24, secs. 4 to 6. Rev. Stat. 1838, ch. 23, secs. 3-7, 12. Rev. Stat. 1843, ch. 38, secs. 6-32.

¹⁵ Rev. Laws 1831, ch. 25, secs. 1, 4. Acts 1832-33, ch. 21, sec. 1.

¹⁶ 1 Rev. Stat. 1852, ch. 92, sec. 1. 2 Rev. Stat. 1852, pt. 1, ch. 8, sec. 43.

¹⁷ 2 Rev. Stat. 1852, pt. 1, ch. 8, secs. 1, 3.

¹⁸ 2 Rev. Stat. 1852, pt. 1, ch. 4, sec. 5; ch. 8, secs. 4, 11, 12, 14, 17, 21, 23.

¹⁹ Acts 1873; Burns 4-328; Baldwin 1417.

²⁰ Const., art. 7, sec. 19.

party could have the opposite party served with a notice requiring him to appear before the court. Hearings were private and informal. Controversies submitted by both parties to the court for determination were determined according to right and conscience without regard to technical rules. The judge was required to keep a book containing a memorandum of proceedings and the judgment.²¹ This court was abolished in 1885.²²

A superior court was established in the county in 1895, to relieve the congested docket of the circuit court. The superior court is still in existence, and is discussed in a separate essay in this book.²³

The circuit court has original jurisdiction, concurrent with the superior court, in all cases at law and in equity, including criminal cases, cases involving title to real estate, actions for divorce, juvenile matters, guardianships, probate of wills, and settlement of decedents' estates. The circuit court and superior court are each known as the "Juvenile Court" when exercising jurisdiction in juvenile matters.²⁴ The circuit court has appellate jurisdiction, concurrent with the superior court,²⁵ to review decisions of justices of the peace,²⁶ city courts,²⁷ board of commissioners,²⁸ board of review fixing value of property for taxation,²⁹ taxing authorities determining that property is taxable,³⁰ board of public works or board of park commissioners of any city in the county (or city council performing such functions),³¹ and other inferior tribunals when no express direction is given as to the court to which the appeal lies.³²

From the time of the creation of the superior court until March 7, 1899, the circuit court had exclusive original jurisdiction of probate matters and cases involving title to real estate.³³ From February 20, 1931 until June 10, 1935, the circuit court had exclusive original jurisdiction over matters pertaining to juvenile delinquents and dependents.³⁴

²¹ 2 Rev. Stat. 1852, pt. 2, ch. 2, secs. 1-3, 5-8, 12, 13, 18, 20.

²² Acts 1865 (Spec. Sess.), ch. 57. Acts 1895, ch. 104. Acts 1897, ch. 156. Acts 1899, ch. 253.

²³ Acts 1895, ch. 104. Acts 1897, ch. 156. Acts 1899, ch. 253. Acts 1907, ch. 112. Acts 1931; Burns 4-1201, 4-1203 to 4-1208; Baldwin 1556 *et seq.* Acts 1931, 1935; Burns, 1938 suppl., 4-1202; Baldwin, 1935 suppl., 1558.

²⁴ Acts 1881 (Spec. Sess.); Burns 4-303; Baldwin 1397. Acts 1931; Burns 4-1204; Baldwin 1563. Acts 1903, 1913, 1931, 1935, 1937; Burns, 1938 suppl., 9-2801; Baldwin, 1937 suppl., 1759.

²⁵ Acts 1881 (Spec. Sess.); Burns 4-303; Baldwin 1397. Acts 1931; Burns 4-1204; Baldwin 1563.

²⁶ 2 Rev. Stat. 1852; Burns 5-1001; Baldwin 1931. Acts 1907; Burns 4-1709; Baldwin 1625. Acts 1921; Burns 4-1803; Baldwin 1660.

²⁷ Acts 1905; Burns 4-2415; Baldwin 2390. Acts 1917; Burns 4-2603; Baldwin 11608. Acts 1921; Burns 4-2702; Baldwin 12172. Acts 1923; Burns 4-2802; Baldwin 12336.

²⁸ 1 Rev. Stat. 1852; Burns 26-901; Baldwin 5277. Acts 1879 (Spec. Sess.), 1885; Burns 26-820; Baldwin 5275. Acts 1905; Burns 36-1501; Baldwin 8858. Acts 1933; Burns 27-117; Baldwin 5753. State ex rel. Sink v. Circuit Court, — Ind. —, 15 N.E. (2d) 624.

²⁹ Acts 1927; Burns 64-1020; Baldwin 15686.

³⁰ Acts 1919, 1927; Burns 64-2103; Baldwin 15804.

³¹ Acts 1933; Burns 48-4501; Baldwin 11576.

³² Hamilton v. Fort Wayne, 73 Ind. 1.

³³ Acts 1895, ch. 104, sec. 9. Acts 1897, ch. 156. Acts 1899, ch. 253, secs. 5, 7. Acts 1881 (Spec. Sess.); Burns 4-303; Baldwin 1397.

³⁴ Acts 1881 (Spec. Sess.); Burns 4-303; Baldwin 1397. Acts 1931; Burns 4-1204; Baldwin 1563. Acts 1903, 1913, 1931, 1935, 1937; Burns, 1938 suppl., 9-2801; Baldwin, 1937 suppl., 1759.

The circuit court has power to make all proper judgments, sentences, decrees, orders, and injunctions; to issue all process;³⁵ and to adopt rules for conducting its business.³⁶ Since 1905, the circuit court has had broad powers to transfer causes to the superior court.³⁷

The chief officers of the court are the sheriff, the prosecuting attorney, and the clerk of the circuit court. The sheriff, in person or by deputy, attends the circuit court, preserves order therein, and serves all process directed to him therefrom.³⁸ The prosecuting attorney prosecutes the pleas of the state in the circuit court.³⁹ The clerk of the circuit court, in person or by deputy, attends the circuit court, performs the customary duties of clerk during trials, draws up each day's proceedings at full length in the proper order book which is signed by the circuit judge, and enters a complete record of causes after completion thereof.⁴⁰ All causes are filed in the office of the clerk of the circuit court, and numbered in consecutive order as filed.⁴¹ The clerk is also charged by statute with the duty of keeping and preserving the official records of the court.⁴²

CIVIL CAUSES

ENTRY OF CAUSES

92. ENTRY DOCKET, 1881-1916. 7 vols. (2-8). 1917— in Civil Fee Book, entry 156.

Record of filing of actions in civil causes, showing cause number, date of filing, nature of action, and names of plaintiff, defendant and attorneys. Arr. numerically by cause nos. No index. Hdw. 500 pp. 18 x 12 x 2. Bsmt. rec. rm. 2.

ORIGINAL DOCUMENTS

93. CIVIL CASES, CIRCUIT COURT, 1833—. 740 file boxes.

Original instruments filed in civil causes, including complaints, denials, demurrers, petitions, reports, writs, affidavits and bonds, showing cause number, dates of filing and action, names of plaintiff, defendant and attorneys, nature of cause, and disposition. Arr. numerically by cause nos. No index. 1833-Nov. 22, 1900, hdw.; Nov. 29, 1900—, typed. 11 x 5 x 14. 716 file boxes, 1833-May 5, 1937, clk. vt.; 24 file boxes, May 10, 1937—, clk. off.

94. COURT OF COMMON PLEAS [Causes], 1853-73. 37 file boxes.

Original documents filed in probate, civil and criminal causes in common pleas court, including letters of administration, bonds, inventories, sale bills, claims, reports, affidavits, indictments, motions, denials, writs, appeal, cost and recognizance bonds, and commitments, showing cause

³⁵ 2 Rev. Stat. 1852; Burns 4-307; Baldwin 1400.

³⁶ 2 Rev. Stat. 1852; Burns 4-313; Baldwin 1406.

³⁷ Acts 1905; Burns 4-304; Baldwin 1419 note.

³⁸ 2 Rev. Stat. 1852; Burns 49-2802; Baldwin 5494.

³⁹ 2 Rev. Stat. 1852; Burns 49-2501; Baldwin 5456.

⁴⁰ 2 Rev. Stat. 1852; Acts 1885 (Spec. Sess.), 1933; Burns 4-324; Baldwin 1413. 2 Rev. Stat. 1852; Burns 49-2706; Baldwin 1433.

⁴¹ Acts 1881 (Spec. Sess.); Burns 2-1053; Baldwin 158. 2 Rev. Stat. 1852; Burns 49-2706; Baldwin 1433.

⁴² 2 Rev. Stat. 1852; Burns 49-2706; Baldwin 1433.

number, dates of filing and action, names of estate, guardianship, plaintiff, defendant and attorneys, nature of action, and disposition. Arr. numerically by cause nos. No index. Hdw. 11 x 5 x 14. Clk. vt.

95. DITCH PAPERS, 1915-31. 2 cartons.

Original documents filed in drainage proceedings, showing cause number, dates of filing and action, nature of action, and names of ditch, petitioners and remonstrators, and disposition. Arr. numerically by cause nos. No index. Typed. 12 x 18 x 18. Bsmt. rec. rm. 1.

For subsequent records, see entry 93; for other ditch records, see entries 21-24, 232, 350.

NATURALIZATION

96. NATURALIZATION RECORD, 1854—. 14 vols.

Record of declaration of intention of alien residents to become citizens of U. S., showing date of filing, name, age and birthplace of alien, port of embarkment, date of arrival, and affidavit of witnesses. Arr. chron. by dates of declarations. Indexed alph. by names of aliens. 1854-1929; hdw.; 1930—, typed. 500 pp. 18 x 10 x 2. 13 vols., 1854-1935, clk. vt.; 1 vol., 1936—, clk. off.

97. PETITION AND RECORD [Naturalization], 1854—. 14 vols.

Record of petitions and granting of final papers of citizenship to aliens, showing dates of declaration, petition and grant, name, address, occupation, and date and place of birth of alien, ports of sailing and entry, renunciation of native land, and oath of allegiance to U. S. Arr. chron. by dates of petitions. Indexed alph. by names of aliens. 1854-1929, hdw.; 1930—, typed. 13 vols., 1854-1935, clk. vt.; 1 vol., 1936—, clk. off.

98. [NATURALIZATION PAPERS], 1833-1904. 10 bds.

Notices of intention to reside in country and become naturalized citizens, showing dates of notice and filing, name, present address, age, description, native country and date of arrival of alien, and ports of embarkation and entry. Arr. chron. by dates of filing. No index. Hdw. 4 x 8 x 10. Bsmt. rec. rm. 1.

MINUTES

99. JUDGES DOCKET, 1833—. 117 vols. Title varies: 1833-53, Bench Docket.

Judge's record of actions and proceedings in civil causes, showing cause number, dates of filing and action, names of plaintiff, defendant and attorneys, nature of action, and disposition. Also contains: Judges Criminal Docket, 1833-1903, entry 123. Arr. numerically by cause nos. No index. Hdw. 500 pp. 18 x 12 x 2. 14 vols., 1833-74, bsmt. rec. rm. 2; 88 vols., 1875-Nov. 1907, bsmt. rec. rm. 1; 14 vols., Dec. 1907-Jan. 24, 1939, clk. vt.; 1 vol., Jan. 25, 1939—, clk. off.

100. JUDGES DOCKET, 1856-73. 9 vols. (3 vols. not labeled, A-F). Judge's record of actions and proceedings in civil and criminal causes in common pleas court, showing cause number, dates of filing and action, names of plaintiff and defendant, proceedings, and disposition. Arr. numerically by cause nos. No index. Hdw. 600 pp. 18 x 11 x 2. Bsmt. rec. rm. 2.

ORDERS

101. CIVIL ORDER BOOK, 1832—. 88 vols. 1 vol. not labeled (A-I, K-Z, 1-62). Title varies: Vol. A. Minute Record.

Record of all actions and proceedings in civil and criminal causes, showing cause number, date of action, names of plaintiff and defendant, and disposition. Also contains: Complete Record, 1924—, entry 116. Arr. chron. by dates of action. Indexed alph. by names of plaintiffs. 1832-Nov. 22, 1899, hdw.; Nov. 29, 1899—, typed. 500 pp. 18 x 12 x 2. 85 vols., 1833-Mar. 30, 1938, clk. vt.; 3 vols., 1832, Mar. 31, 1938—, clk. off.

102. ORDER BOOK [Miscellaneous], 1906—. 3 vols. (1-3).

Transcripts of actions and proceedings in miscellaneous causes, including admission of attorneys to practice, appointments and causes appealed from other courts, showing cause number, date of action, names of principals, and nature of action. Arr. numerically by cause nos. Indexed alph. by names of principals. Typed. 500 pp. 18 x 11 x 2. 2 vols., 1906-Jan. 17, 1928, clk. vt.; 1 vol., Jan. 18, 1928—, clk. off.

103. ORDER BOOK [Common Pleas], 1853-76. 7 vols. (A-G).

Record of all actions and proceedings in civil, criminal and probate causes in common pleas court, showing cause number, date of action, names of plaintiff and defendant, and disposition. Arr. chron. by dates of action. Indexed alph. by names of plaintiffs. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

JUDGMENTS

104. GENERAL INDEX OF JUDGMENTS, 1833—. 7 vols. (1-7).

General index to Civil Judgment Docket, entry 105, and judgments in Civil Order Book, entry 101, and Probate Order Book, entry 146, showing dates of judgment and satisfaction, amount of judgment, names of plaintiff and defendant, and volume and page reference to recording. Arr. alph. by names of plaintiffs. Hdw. 500 pp. 18 x 12 x 2. 6 vols., 1833-1931, clk. vt.; 1 vol., 1932—, clk. off.

105. CIVIL JUDGMENT DOCKET, 1833—. 19 vols. (A-S).

Record of judgments rendered in civil, criminal and probate causes, showing cause number, dates of judgment and satisfaction, amount of judgment, names of plaintiff and defendant, and volume and page reference to Civil Order Book, entry 101, Execution Docket, entry 108, Probate Order Book, entry 146. Arr. chron. by dates of judgments. Indexed alph. by names of plaintiffs; for separate index, see entry 104. Hdw. 500 pp. 18 x 12 x 2. 17 vols., 1833-Jan. 20, 1934, clk. vt.; 2 vols., Jan. 21, 1934—, clk. off.

106. JUDGMENT DOCKET [Common Pleas Court], 1853-73. 3 vols. (A-C).

Record of judgments rendered in civil and probate causes in common pleas court, showing cause number, names of plaintiff, defendant and attorneys, date of judgment and amounts of judgment, interest and costs, and volume and page reference to Order Book [Common Pleas], entry 103. Arr. chron. by dates of judgments. Indexed alph. by names of plaintiffs and defendants. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

EXECUTIONS

107. PRAECIPE FOR EXECUTION, 1871—. 4 vols.

Record of orders issued by plaintiff or attorneys to clerk to prepare or issue to sheriff writs for execution of court decrees or to prepare transcripts for appeal to other courts, showing cause number, date of order, names of plaintiff, defendant and attorneys, nature of writ, and amount of judgment. Arr. chron. by dates of orders. No index. Hdw. 500 pp. 18 x 12 x 2. 3 vols., 1871-June 12, 1925, bsmt. rec. rm. 2; 1 vol., June 13, 1925—, clk. vt.

108. EXECUTION DOCKET, 1833—. 18 vols. (1 vol. not labeled, A-Q).

Record of executions of court decrees to satisfy judgments, showing cause number, dates of judgment and execution, names of plaintiff and defendant, amounts of judgment and costs, and sheriff's return. Arr. numerically by cause nos. Indexed alph. by names of plaintiffs. Hdw. 500 pp. 18 x 12 x 2. 16 vols., 1833-June 1935, clk. vt.; 2 vols., July 1935—, clk. off.

109. EXECUTION DOCKET, 1853-73. 4 vols. (A-D).

Record of executions of court decrees to satisfy judgments rendered in common pleas court, showing cause number, names of plaintiff and defendant, dates of judgment and execution, amounts of judgment and costs, and sheriff's return. Arr. chron. by dates of execution. Indexed alph. by names of plaintiffs and defendants. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

110. EXECUTIONS, 1833—. 44 file boxes.

Writs issued by clerk to sheriff to attach or levy on property to satisfy judgments, showing date of writ, cause number, names of plaintiff and defendant, description of property, amounts of judgment and costs, sheriff's return, and volume and page reference to Civil Order Book, entry 101; and Execution Docket, entry 108. Arr. numerically by cause nos. No index. Hdw. 11 x 5 x 14. 43 file boxes, 1833-July 30, 1937, clk. vt.; 1 file box, July 31, 1937—, clk. off.

111. JUSTICE TRANSCRIPTS, 1833—. 10 bdls., 3 file boxes.

Transcripts of judgments rendered in justice of the peace courts transferred to circuit court for execution, showing cause number, dates of judgment and execution, names of plaintiff, defendant and court, and amounts of judgment and costs. Arr. chron. by dates of execution. No index. Hdw. Bdls., 4 x 5 x 8; file boxes, 11 x 5 x 14. 10 bdls., 1833-1907, bsmt. rec. rm. 1; 1 file box, 1908-Nov. 6, 1924, clk. vt.; 2 file boxes, Nov. 8, 1924—, clk. off.

112. LIS PENDENS, COMPLAINTS, 1878—. 1 vol.

Record of complaints filed against owners of property which may be subject to levy for satisfaction of judgment, showing cause number, date of filing, nature of complaint, names of plaintiff, defendant and attorneys, and location and description of property. Arr. chron. by dates of filing. Indexed alph. by names of defendants. 1878-Sept. 25, 1925, hdw.; Sept. 26, 1925—, typed. 500 pp. 18 x 12 x 2. Clk. off.

113. SHERIFF'S ATTACHMENT [Lis Pendens], 1880—. 1 vol.

Record of orders issued by court to sheriff to levy on property to satisfy judgments, showing cause number, dates of order and judgment, amount

of judgment, names of plaintiff and defendant, and location and description of property. Arr. chron. by dates of orders. Indexed alph. by names of defendants. Hdw. 500 pp. 18 x 12 x 2. Clk. off.

114. SHERIFF'S CERTIFICATE OF SALE [Lis Pendens], 1881—. 3 vols. (1-3).

Transcripts of certificates issued to purchasers of property sold to satisfy judgments, showing cause number, dates of judgment, sale and certificate, amounts of judgment and sale, names of plaintiffs, defendant and purchaser, and location and description of property. Arr. chron. by dates of certificates. Indexed alph. by names of defendants. Hdw. 500 pp. 18 x 12 x 2. 1 vol., 1881-Mar. 1891, clk. vt.; 2 vols., April 1891—, clk. off.

115. CERTIFICATE OF REDEMPTION [Lis Pendens], 1879—. 1 vol.

Record of certificates of redemption of property sold to satisfy judgments, showing cause number, dates of judgment, certificate and redemption, names of plaintiff, defendant and redeemer, location and description of property, and volume and page reference to Sheriff's Certificate of Sale [Lis Pendens], entry 114. Arr. chron. by dates of redemption. Indexed alph. by names of plaintiffs. 1879-Nov. 9, 1917, hdw.; Nov. 10, 1917—, typed. 500 pp. 18 x 12 x 2. Clk. vt.

COMPLETE TRANSCRIPT

116. COMPLETE RECORD, 1833-1923. 35 vols. (A-Z, 1-9). 1924—in Civil Order Book, entry 101.

Transcripts of all actions and proceedings in civil causes involving title to real estate, showing cause number, date and nature of action, names of plaintiff, defendant and attorneys, and disposition. No orderly arr. Indexed alph. by names of plaintiffs. 1833-May 22, 1899, hdw.; May 23, 1899-1923, typed. 300 pp. 17 x 10 x 2. Clk. vt.

117. COMPLETE RECORD [Common Pleas], 1853-73. 3 vols. (A-C). Transcripts of all actions and proceedings in common pleas causes, showing cause number, date and nature of action, names of plaintiff, defendant and attorneys, and disposition. No orderly arr. Indexed alph. by names of plaintiffs. Hdw. 500 pp. 18 x 16 x 2. Clk. vt.

CRIMINAL CAUSES

ENTRY OF CAUSES

118. CRIMINAL ENTRY DOCKET, 1896—. 4 vols. (1-4).

Record of actions filed in criminal causes, showing cause number, names of defendant and attorney, nature of cause, and amount of court fees. Arr. numerically by cause nos. Indexed alph. by names of defendants. Hdw. 500 pp. 18 x 10 x 2. 3 vols., 1896-Mar. 8, 1928, clk. vt.; 1 vol., Mar. 14, 1928—, clk. off.

ORIGINAL DOCUMENTS

(See also entry 94)

119. STATE CASES OF CIRCUIT COURT, 1834—. 64 file boxes.

Original instruments filed in criminal causes, including affidavits, motions, denials, bonds, writs, indictments, summonses, subpoenas, orders and commitments, showing dates of instrument and filing, names of defendant,

attorneys and witnesses, cause number, nature of charge, court proceedings, and disposition. Arr. numerically by cause nos. No index. Hdw. and typed. 11 x 5 x 14. 63 file boxes, 1834-Feb. 23, 1937, clk. vt.; 1 file box, Feb. 25, 1937—, clk. off.

AFFIDAVITS AND INDICTMENTS

120. RECORD OF CRIMINAL AFFIDAVITS, 1904—. 2 vols. (1 vol. not numbered, 2).

Transcripts of affidavits in criminal causes, showing date of affidavit, names of affiant and defendant, and nature of charge. Arr. chron. by dates of affidavits. Indexed alph. by names of defendants. Hdw. and typed. 585 pp. 18 x 12 x 2. 1 vol., 1904-Feb. 2, 1929, clk. vt.; 1 vol., Feb. 3, 1929—, clk. off.

121. INDICTMENT RECORDS, 1852—. 9 vols. (1 vol. not numbered, 4, 1-7).

Transcripts of indictments returned by grand juries, showing date of indictment, cause number, names of defendant and state's witnesses, and nature of charge. Arr. chron. by dates of indictments. Indexed alph. by names of defendants. Hdw. 500 pp. 18 x 12 x 2. 6 vols., 1852-77, bsmt. rec. rm. 2; 2 vols., 1878-Feb. 21, 1938, clk. vt.; 1 vol., Feb. 22, 1938—, clk. off.

BONDS

122. RECOGNIZANCE BOND, 1889—. 1 vol. 1834-53 in County Officials' Bond Record, entry 29; 1854-81 in Constables, Justices and Miscellaneous Bonds, entry 34. 1882-88 missing.

Record of bonds posted to insure appearance of defendants in court, showing date and amount of bond, number and nature of cause, and names of defendant and sureties. Arr. chron. by dates of bonds. Indexed alph. by names of defendants. Hdw. 500 pp. 18 x 12 x 2. Clk. off.

MINUTES

(See also entry 100)

123. JUDGES CRIMINAL DOCKET, 1904—. 3 vols. 1833-1903 in Judges Docket, entry 99.

Judge's record of actions and proceedings in criminal causes, showing cause number, date of trial, name of defendant, proceedings of court, and disposition. Arr. numerically by cause nos. No index. Hdw. 500 pp. 13 x 11 x 6. 2 vols., 1904-Oct. 1937, clk. vt.; 1 vol., Nov. 1937—, clk. off.

ORDERS

(See entries 101, 103)

JUDGMENTS

(See entry 105)

PROBATE CAUSES

ENTRY OF CAUSES

124. GENERAL ENTRY CLAIM AND ALLOWANCE DOCKET, 1853—. 19 vols. (4, 5, 1-17). Title varies: 2 vols., 1853-Feb. 22, 1881, Appearance Docket.

Record of filing of actions in estate causes, showing cause number, dates

of decedent's death, letters of administration, inventory, sale bill and claim and allowance, names of decedent, administrator or executor, sureties and claimant, amounts of inventory, sale bill, administrator's or executor's bond and claim and allowance, nature and number of claim, and action taken. Arr. numerically by cause nos. Indexed alph. by names of decedents. Hdw. 300 pp. 18 x 12 x 2. 2 vols., 1853-Feb. 22, 1881, bsmt. rec. rm. 2; 14 vols., Feb. 23, 1881-Sept. 6, 1927, clk. vt.; 3 vols., Sept. 7, 1927—, clk. off.

125. CLAIM DOCKET, 1908—. 2 vols.

Docket of claims filed against estates, showing cause number, date of filing, names of claimant and attorney, amount of claim, and court action. Arr. numerically by cause nos. No index. Hdw. 700 pp. 12 x 14 x 6. Clk. vt.

For prior records, see entry 124.

126. DOCKET OF ALLOWANCES [Common Pleas Court], 1853-80.
1 vol.

Docket of claims allowed against estates, showing cause number, names of estate, attorneys, sureties, claimants, administrator and executor, and nature and amount of claim and allowance. Arr. numerically by cause nos. Indexed alph. by names of estates. Hdw. 300 pp. 18 x 12 x 2. Bsmt. rec. rm. 2.

127. GUARDIANSHIP DOCKET AND FEE BOOK, 1916—. 2 vols. (1, 2). Record of filing of actions and fees assessed in guardianship causes, showing cause number, dates of filing and appointment of guardian, names of ward, guardian and sureties, amount of guardian's bond, amount and nature of fee, and name of payer. This is a combination of two records formerly kept separately: Guardianship Docket, 1857-1915, entry 128; guardianship fees recorded in Fee Book, Estates, 1875-1915, entry 159. Arr. numerically by cause nos. Indexed alph. by names of wards. Hdw. 500 pp. 18 x 12 x 2. Clk. off.

128. GUARDIANSHIP DOCKET, 1857-1915. 3 vols. (1-3). 1916—in Guardianship Docket and Fee Book, entry 127.

Record of filing of actions in guardianship causes, showing cause number, dates of filing and appointment of guardian, names of ward, guardian and sureties, and amount of guardian's bond. Arr. numerically by cause nos. Indexed alph. by names of wards. Hdw. 400 pp. 18 x 12 x 2. Clk. vt.

ORIGINAL DOCUMENTS

(See also entry 94)

129. RECORD OF ESTATES, 1835—. 323 file boxes.

Original documents filed in estate causes, including letters of administration, inventories, appraisements, sale bills, claims, reports, assignments and bonds, showing cause number, dates of filing and action, names of estate, beneficiaries, claimants, appraisers, attorneys, administrator or executor and sureties, amounts of estate, bequests, sale, claim, bond and appraiser's fee, location and description of property, and final settlement. Arr. numerically by cause nos. No index. 1835-Dec. 14, 1899, hdw.; Dec. 15, 1899—, typed. 11 x 5 x 14. 318 file boxes, 1835-Oct. 1, 1937, clk. vt.; 5 file boxes, Oct. 2, 1937—, clk. off.

130. GUARDIANSHIP RECORDS, 1834—. 80 file boxes.

Original documents filed in guardianship causes, including petitions, letters of guardianship, bonds, inventories and appraisements, summonses, claims, reports and court orders, showing cause number, dates of filing and action, names of ward, guardian, sureties and claimant, amounts of bond and claim, location, description and valuation of property, and final settlement. Arr. numerically by cause nos. No index. 1834-Sept. 27, 1898, hdw.; Sept. 28, 1898—, typed. 11 x 5 x 14. 79 file boxes, 1834-Apr. 8, 1937, clk. vt.; 1 file box, Apr. 10, 1937—, clk. off.

WILLS

(See also entries 81, 184)

131. WILL RECORD, 1844—. 14 vols. (A-N).

Transcripts of wills entered for probate, showing dates of will and filing, names of testator, executor, heirs and witnesses, location and description of property, and amounts of bequests. Arr. chron. by dates of filing. Indexed alph. by names of testators. 1844-June 8, 1899, hdw.; June 9, 1899—, typed. 300 pp. 18 x 11 x 2. 13 vols., 1844-Mar. 1934, clk. vt.; 1 vol., Apr. 1934—, clk. off.

SANITY CAUSES

132. INSANE RECORDS, 1850—. 14 vols. (3 vols. not numbered, 4-14).

Record of actions and proceedings in sanity causes, showing dates of petition, inquest and commitment, cause number, names of patient, medical examiners, witnesses and institution, age, sex, color, mental condition, and family history of patient, dates of discharge or death, and sheriff's return. Arr. chron. by dates of inquests. Indexed alph. by names of patients. Hdw. 500 pp. 18 x 10 x 2. 12 vols., 1850-June 1933, clk. vt.; 2 vols., Aug. 1933—, clk. off.

133. INSANITY RECORD, 1856—. 12 bdls., 4 file boxes.

Documents filed in sanity causes, including petitions, medical examiners' reports and commitments, showing cause number, dates of petition, reports, inquests and commitments, name, age, sex, color, mental condition and family history of patient, and amount of fees. Arr. numerically by cause nos. No index. Hdw. Bdls., 4 x 10 x 12; file boxes, 11 x 5 x 14. 12 bdls., 1856-Sept. 1922, bsmt. rec. rm. 1; 2 file boxes, Nov. 1922-Jan. 10, 1925, clk. vt.; 2 file boxes, Jan. 20, 1925—, clk. off.

BONDS

134. ADMINISTRATORS BONDS, OATHS AND LETTERS, 1836—. 9 vols. (1-9).

Record of letters of administration granted, oaths administered to and bonds posted by administrators for administration of estates, showing dates of letter, oath and bond, amount and conditions of bond, and names of estate, administrator and sureties. Arr. chron. by dates of bonds. Indexed alph. by names of estates; for separate index 1889—, see entry 28. Hdw. 400 pp. 18 x 12 x 2. 7 vols., 1836-Sept. 18, 1929, bsmt. rec. rm. 2; 1 vol., Sept. 19, 1929-May 11, 1937, clk. vt.; 1 vol., May 24, 1937—, clk. off.

135. ADMINISTRATOR'S ADDITIONAL BOND TO SELL REAL ESTATE, 1877—. 2 vols. (3, 4). 1855-76 in Administrators, Executors and Guardians Bonds to Sell Real Estate, entry 140.

Transcripts of bonds posted by administrators to sell property involved in settlement of estates, showing date of filing, names of estates, sureties and administrator, and date, amount and conditions of bond. Arr. chron. by dates of bonds. Indexed alph. by names of administrators; for separate index 1889—, see entry 28. 1877-Mar. 25, 1935, hdw.; Mar. 26, 1935—, typed. 500 pp. 18 x 12 x 2. 1 vol., 1877-Jan. 1935, clk. vt.; 1 vol., Mar. 1935—, clk. off.

136. EXECUTOR'S BOND, 1836—. 5 vols. (1-5).

Record of bonds posted by executors appointed to execute wills, showing date, amount and conditions of bond, and names of estate, executor and sureties. Arr. chron. by dates of bonds. Indexed alph. by names of estates and executors; for separate index 1889—, see entry 28. Hdw. 500 pp. 18 x 12 x 2. 4 vols., 1836-Jan. 1926, bsmt. rec. rm. 2; 1 vol., Feb. 1926—, clk. off.

137. EXECUTOR'S ADDITIONAL BOND TO SELL REAL ESTATE, 1877—. 1 vol. 1855-76 in Administrators, Executors and Guardians Bonds to Sell Real Estate, entry 140.

Transcripts of executor's bonds posted to sell real estate in settlement of estates, showing date, amount and conditions of bond, names of estate, sureties and executor, and court approval. Arr. chron. by dates of bonds. Indexed alph. by names of executors and estates; for separate index 1889—, see entry 28. Hdw. 500 pp. 18 x 12 x 2. Clk. off.

138. GUARDIANS BONDS, 1836—. 7 vols. (1-7).

Record of letters of appointment issued, oaths administered to, and bonds posted by guardians to administer guardianships, showing dates of letter, oath and bond, amount and conditions of bond, and names of guardianship, guardian and sureties. Arr. chron. by dates of bonds. Indexed alph. by names of guardianships and guardians; for separate index 1889—, see entry 28. Hdw. 500 pp. 18 x 12 x 2½. 5 vols., 1836-Nov. 1905, bsmt. rec. rm. 2; 1 vol., Dec. 1905-Apr. 13, 1932, clk. vt.; 1 vol., Apr. 29, 1932—, clk. off.

139. GUARDIANS ADDITIONAL BOND TO SELL REAL ESTATE, 1877—. 1 vol. 1855-76 in Administrators, Executors and Guardians Bonds to Sell Real Estate, entry 140.

Transcripts of bonds posted by guardians for sale of real estate in guardianship causes, showing date, amount and conditions of bond, names of guardianship, guardian and sureties, location and description of property, and court approval. Arr. chron. by dates of bonds. Indexed alph. by names of guardianships and guardians. For separate index 1889—, see entry 28. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

140. ADMINISTRATORS, EXECUTORS AND GUARDIANS BONDS TO SELL REAL ESTATE, 1855-76. 2 vols. (1, 2).

Additional bonds posted by administrators, executors and guardians to sell real estate, showing cause number, date, amount and conditions of bond, names of estate, sureties and administrator, guardian or executor, and location and description of property. This record subsequently sep-

arated as follows: Administrators Additional Bond to Sell Real Estate, 1877—, entry 135; Executors Additional Bond to Sell Real Estate, 1877—, entry 137; Guardians Additional Bond to Sell Real Estate, 1877—, entry 139. Arr. chron. by dates of bonds. Indexed alph. by names of estates, guardianships, administrators, executors and guardians. Hdw. 300 pp. 18 x 12 x 2. Bsmt. rec. rm. 2.

INVENTORIES

141. INVENTORY RECORD PERSONAL PROPERTY, 1837—. 13 vols. (1 vol. not numbered, 4-15).

Transcripts of inventories of personal property of estates, showing cause number, dates of inventory and filing, names of estate, appraisers, creditors and administrator or executor, description and appraised value of property, description and appraised value of property taken by widow, and amount of debts. Also contains: Guardian's Inventory Record, 1837-80, entry 142. Arr. chron. by dates of filing. Indexed alph. by names of estates. 1837-Mar. 1931, hdw.; April 1931—, typed. 500 pp. 18 x 12 x 2. 10 vols., 1837-Aug. 1926, bsmt. rec. rm. 2; 2 vols., Nov. 1926-Oct. 22, 1935, clk. vt.; 1 vol., Oct. 28, 1935—, clk. off.

142. GUARDIAN'S INVENTORY RECORD, 1881—. 1 vol. 1837-80 in Inventory Record Personal Property, entry 141.

Transcripts of inventories of personal property in guardianship causes, showing dates of inventory, court term and filing, names of guardianship, appraisers, creditors and guardian, description and appraised value of property, and amount of indebtedness. Arr. chron. by dates of filing. Indexed alph. by names of guardianships. Hdw. 500 pp. 18 x 12 x 2. clk. off.

MINUTES

143. JUDGES PROBATE DOCKET OF ESTATES, 1853—. 109 vols.

Record of actions and proceedings in estate causes, showing cause number, date and nature of action, names of estate, administrator or executor and attorneys, and disposition. Arr. numerically by cause nos. No index. Hdw. 120 pp. 18 x 12 x 1. 105 vols., 1853-Apr. 6, 1906, bsmt. rec. rm. 1; 3 vols., Apr. 7, 1906-Sept. 2, 1938, clk. vt.; 1 vol., Sept. 3, 1938—, clk. off.

144. GUARDIAN DOCKET, 1845—. 7 vols.

Record of actions and proceedings in guardianship causes, showing cause number, date and nature of action, names of guardianship, guardian and sureties, date of appointment of guardian, and amount of bond. Arr. numerically by cause nos. No index. Hdw. 500 pp. 18 x 12 x 2. 5 vols., 1845-Oct. 1889, bsmt. rec. rm. 2; 1 vol., Nov. 1889-May 19, 1937, clk. vt.; 1 vol., May 20, 1937—, clk. off.

145. JUDGES DOCKET, PROBATE, 1853-73. 1 vol.

Record of actions and proceedings in estate and guardianship causes in common pleas court, showing cause number, date and nature of action, names of estate or guardianship, administrator, executor or guardian and attorneys, date of appointment, and amount of bond. Arr. numerically by cause nos. No index. Hdw. 500 pp. 11 x 18 x 2. Bsmt. rec. rm. 2.

ORDERS

(See entry 103)

146. PROBATE ORDER BOOK, 1832—. 45 vols. (A-Z, 1-19).

Transcripts of all actions and proceedings in probate causes, showing cause number, dates of filing, action and settlement, names of estate or guardianship, administrator or executor, guardian, testator, heirs and attorneys, nature of action, and disposition. Also contains: Record of Sale Bills, 1925—, entry 147; Partition Record, 1927—, entry 148; Inheritance Tax and Transfer Tax Record, 1916—, entry 149; Complete Record [Probate], 1932—, entry 150. Arr. chron. by dates of actions. Indexed alph. by names of estates, testators and guardianships. 1832-May 24, 1899, hdw.; May 25, 1899—, typed. 500 pp. 18 x 11 x 2. 44 vols., 1832-May 28, 1937, clk. vt.; 1 vol., May 29, 1937—, clk. off.

147. RECORD OF SALE BILLS, 1838-1924. 3 vols. (1 vol. not numbered, 1, 2). 1925— in Probate Order Book, entry 146.

Record of sale of personal property of estates, showing cause number, date of sale, names of estate, administrator and purchaser, itemized list of property sold, and amount realized. Arr. chron. by dates of sales. Indexed alph. by names of estates. Hdw. 500 pp. 18 x 12 x 2. Bsmt. rec. rm. 2.

148. PARTITION RECORD, 1853-1926. 8 vols. (1-8). 1927— in Probate Order Book, entry 146.

Transcripts of court decrees in partition actions for division of real property in settlement of estates, showing cause number, dates of action and decree, names of plaintiff, defendant and commissioner, location and description of property, and nature of final settlement. Arr. chron. by dates of actions. No index. 1853-May 22, 1899, hdw.; May 23, 1899-1926, typed. 500 pp. 18 x 12 x 2. Clk. vt.

149. INHERITANCE TAX AND TRANSFER TAX RECORD, 1913-15. 1 vol. 1916— in Probate Order Book, entry 146.

Record of orders determining value of estates and amount of inheritance tax, showing cause number, date of decedent's death, order and recording, names of estate, heirs, administrator or executor, and appraiser, inventory and appraised value of estate, amount of tax due from each heir, deductions for claims, expenses and exemptions, relationship of heirs, and location and description of property. Arr. chron. by dates of orders. Indexed alph. by names of estates. Hdw. 300 pp. 18 x 22 x 2. Bsmt. rec. rm. 2.

For other inheritance tax records, see entry 230.

JUDGMENTS

(See entries 105, 106)

COMPLETE TRANSCRIPTS

150. COMPLETE RECORD [Probate], 1836-1931. 35 vols. (A-Z, 1-8). 1932— in Probate Order Book, entry 146.

Complete transcripts of all actions and proceedings in probate causes involving transfer of real estate, showing cause number, dates of filing and action, names of estate, guardianship and executor, administrator, or guardian, appointments of administrators or executors and guardians,

inventories of property, value of estates and guardianships, amount of bond posted by administrator, executor or guardian, location and description of property, and nature of final settlement. Arr. chron. by dates of actions. Indexed alph. by names of estates and guardianships. 1836-April 1899, hdw.; May 1899-1931, typed. 580 pp. 18 x 12 x 2. Clk. vt.

JUVENILE CAUSES

(See also entry 257)

151. JUVENILE ORDER BOOK, 1921—. 3 vols. (A-C).

Record of all actions and proceedings in juvenile causes, showing cause number, date of action, nature of offense, name of juvenile, and disposition. Arr. chron. by dates of actions. Indexed alph. by names of juveniles. Typed. 500 pp. 18 x 12 x 2. Clk. off.

MISCELLANEOUS COURT RECORDS

CHANGE OF VENUE

(See also entries 258, 259)

152. CHANGE OF VENUE, 1931-34. 1 vol. 1935—, in Civil Order Book, entry 101.

Record of causes venued from other counties to La Porte County, showing cause number, date of filing, nature of action, names of plaintiff, defendant, attorneys, witnesses and county venued from, and fees and costs. Arr. chron. by dates of filing. Indexed alph. by names of plaintiffs. Hdw. 179 pp. 16 x 12 x 1½. Clk. vt.

BONDS

153. COST BOND, 1897-1923. 1 vol. 1924— in Miscellaneous Bonds, entry 35.

Record of bonds posted to insure payment of court costs, showing cause number, date, amount and conditions of bond, names of plaintiff, defendant, attorneys and witnesses, and approval of court. Arr. chron. by dates of bonds. Indexed alph. by names of plaintiffs. Hdw. 500 pp. 18 x 12 x 2. Bsmt. rec. rm. 2.

APPEAL OPINIONS

154. OPINIONS OF SUPREME AND APPELLATE COURT, 1934-1921. 3 bdls. After 1921 filed with court papers.

Transcripts of opinions of supreme and appellate courts, showing cause number, dates of filing and opinion, names of plaintiff, defendant and judge, and nature of opinion. Arr. chron. by dates of filing. No index. Hdw. 4 x 10 x 8. Bsmt. rec. rm. 1.

FEE AND CASH RECORDS

155. SUPPORT DOCKET, 1912—. 3 vols. (1 vol. not numbered, 2, 3).

Record of money received and disbursed for support and alimony payments, showing cause number, dates and amounts of receipt and disbursement, and names of payer and payee. No orderly arr. Indexed alph. by names of payees. Hdw. 300 pp. 18 x 12 x 2. 1 vol., 1912-Feb. 6, 1930, clk. vt.; 2 vols., Feb. 7, 1930—, clk. off.

156. CIVIL FEE BOOK, 1833—. 31 vols. (A-H, J-Z, AA, 1-5).

Record of fees assessed in civil actions, showing cause number, date of

payment, amount of fees, and names of plaintiff and defendant. Also contains Entry Docket, 1917—, entry 92. Arr. numerically by cause nos. Indexed alph. by names of plaintiffs. Hdw. 500 pp. 18 x 12 x 2. 7 vols., 1833-Oct. 5, 1853, bsmt. rec. rm. 2; 21 vols., Oct. 7, 1853-Jan. 6, 1933, clk. vt.; 3 vols., Jan. 10, 1933—, clk. off.

157. REGISTER OF FEES AND FUNDS HELD IN TRUST, 1881—. 4 vols. (1 vol. not numbered, 2-4).

Register of fees and funds held in trust pending proper disbursement, showing cause number, dates of receipt and disbursement, names of plaintiff, defendant, payer and payee, and amount of fee or fund. Arr. chron. by dates of receipts and disbursements. Indexed alph. by names of payees. Hdw. 300 pp. 18 x 12 x 2. 2 vols., 1881-Dec. 12, 1926, clk. vt.; 2 vols., Dec. 13, 1926—, clk. off.

158. REGISTER OF WITNESS AND OTHER FEES, 1873-1911. 1 vol.

Register of witness and miscellaneous fees assessed in court actions, showing cause number, dates of receipt and disbursement, names of payer and payee, and amount and nature of fees. Arr. numerically by cause nos. No index. Hdw. 300 pp. 18 x 12 x 2. Bsmt. rec. rm. 2.

For subsequent records, see entry 157.

159. FEE BOOK, ESTATES, 1875—. 7 vols. (A, 4-9).

Record of fees assessed in estate causes 1875— and guardianship causes 1875-1915, showing cause number, name of estate or guardianship, nature and amount of fees, and date of payment. Arr. numerically by cause nos. Indexed alph. by names of estates and guardianships. Hdw. 500 pp. 18 x 12 x 2. 4 vols., 1875-Feb. 19, 1920, clk. vt.; 3 vols., Feb. 21, 1920—, clk. off.

160. FEE BOOK, PROBATE, COMMON PLEAS COURT, 1853-74. 2 vols. (1, 2).

Record of fees assessed in estate and guardianship causes in common pleas court, showing cause number, names of estate or guardianship, amount of fees, and date of payment. Arr. numerically by cause nos. Indexed alph. by names of estates and guardianships. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

161. COURT BILLS AND ALLOWANCES, 1905—. 6 bdls., 3 file boxes.

Original court allowances for witness, jury and miscellaneous fees, showing date of filing, amount and purpose of allowance, and name of payee. Arr. chron. by dates of filing. No index. Hdw. Bdls., 4 x 10 x 8; file boxes, 11 x 5 x 14. 6 bdls., 1905-Apr. 1924, bsmt. rec. rm. 1: 3 file boxes, Mar. 1924—, clk. vt.

For other court allowances, see entries 256, 257.

VI. SUPERIOR COURT

The superior court, established in La Porte County in 1895 and modified by acts of 1897, 1899, 1907, and 1931, consists of one judge elected by the voters of the county for a four-year term. La Porte County alone constitutes the judicial district. The official name of the court is "La Porte Superior Court."¹

¹ Acts 1895, ch. 104. Acts 1897, ch. 156. Acts 1899, ch. 253. Acts 1907, ch. 112. Acts 1931; Burns 4-1201, 4-1203; Baldwin 1556, 1560.

An act of March 9, 1895, effective immediately, created a superior court in the counties of Lake, La Porte, and Porter, consisting of one judge elected by the voters of said counties for a four-year term.² The official name of the court in La Porte County was "La Porte Superior Court."³ Proceedings and sessions of said La Porte Superior Court were held at Michigan City.⁴ Terms of court, each lasting three weeks, began on the first Monday in February, fourth Monday in April, first Monday in September, and third Monday in November.⁵ An act of March 7, 1899, effective immediately, provided for terms of court, each lasting four weeks, beginning on the last Monday in January, third Monday in April, last Monday in August, and second Monday in November.⁶ An act of March 8, 1907, effective August 1, 1907, provided that the counties of La Porte and Porter shall alone constitute the judicial district of La Porte Superior Court and Porter Superior Court; and that La Porte Superior Court shall have four terms of court a year, each lasting five weeks and beginning on the first Monday following the end of the term of Porter Superior Court.⁷ An act of February 20, 1931, effective immediately, provided that La Porte County alone shall constitute the judicial district of La Porte Superior Court; and that terms of court, each lasting ten weeks, shall begin on the first Monday in October, third Monday in December, second Monday in March, and fourth Monday in May.⁸

The superior court has original jurisdiction, concurrent with the circuit court, in all cases at law and in equity, including criminal cases, cases involving title to real estate, actions for divorce, juvenile matters, guardianships, probate of wills, and settlement of decedents' estates. The circuit court and superior court are each known as the "Juvenile Court" when exercising jurisdiction in juvenile matters.⁹ The superior court has appellate jurisdiction, concurrent with the circuit court,¹⁰ to review decisions of justices of the peace,¹¹ city courts,¹² board of commissioners,¹³ board of review fixing value of property for taxation,¹⁴ taxing authorities determining that property is taxable,¹⁵ board of public works or board of

² Acts 1895, ch. 104, secs. 1 to 3, 29.

³ *Ibid.*, sec. 4.

⁴ *Ibid.*, sec. 6.

⁵ *Ibid.*, sec. 7.

⁶ Acts 1899, ch. 253, secs. 1, 7.

⁷ Acts 1907, ch. 112, secs. 2, 4, 15.

⁸ Acts 1931, ch. 21, secs. 1, 3, 15.

⁹ Acts 1881 (Spec. Sess.); Burns 4-303; Baldwin 1397. Acts 1931; Burns 4-1204; Baldwin 1563. Acts 1903, 1913, 1931, 1935, 1937; Burns, 1938 suppl., 9-2801; Baldwin, 1937 suppl., 1759.

¹⁰ Acts 1881 (Spec. Sess.); Burns 4-303; Baldwin 1397. Acts 1931; Burns 4-1204; Baldwin 1563.

¹¹ 2 Rev. Stat. 1852; Burns 5-1001; Baldwin 1931. Acts 1907; Burns 4-1709; Baldwin 1625. Acts 1921; Burns 4-1803; Baldwin, 1660.

¹² Acts 1905; Burns 4-2415; Baldwin 2390. Acts 1917; Burns 4-2603; Baldwin 11608. Acts 1921; Burns 4-2702; Baldwin 12172. Acts 1923; Burns 4-2802; Baldwin 12336.

¹³ 1 Rev. Stat. 1852; Burns 26-901; Baldwin 5277. Acts 1879 (Spec. Sess.), 1885; Burns 26-820; Baldwin 5275. Acts 1905; Burns 36-1501; Baldwin 8858. Acts 1933; Burns 27-117; Baldwin 5753. State ex rel. Sink v. Circuit Court,— Ind.—, 15 N.E. (2d) 624.

¹⁴ Acts 1927; Burns 64-1020; Baldwin 15686.

¹⁵ Acts 1919, 1927; Burns 64-2103; Baldwin 15804.

park commissioners of any city in the county (or city council performing such functions),¹⁶ and other inferior tribunals when no express direction is given as to the court to which the appeal lies.¹⁷

From March 9, 1895 until March 7, 1899, the circuit court had exclusive original jurisdiction of probate matters and cases involving title to real estate.¹⁸ From February 20, 1931 until June 10, 1935, the circuit court had exclusive original jurisdiction over matters pertaining to juvenile delinquents and dependents.¹⁹

The judgments, decrees, orders, and proceedings of the superior court have the same force and effect as those of the La Porte Circuit Court, and are enforced in the same manner.²⁰ Many writs and orders can be granted by the court in vacation as well as in term-time.²¹ The court adopts rules for conducting its business and can compel attendance of witnesses, punish for contempt, and enforce its orders. The judge can administer oaths, solemnize marriages, take acknowledgments of deeds, and give all necessary certificates for the authentication of the records and proceedings of the court.²²

The laws governing practice and procedure in the La Porte Circuit Court apply to the La Porte Superior Court unless otherwise specifically provided.²³ The sessions and proceedings of the court are at Michigan City. Terms of court begin on the first Monday on October, third Monday in December, second Monday in March, and fourth Monday in May, and last as long as the business of the court requires.²⁴

The clerk of the circuit court and the sheriff of the county are, respectively, the clerk and sheriff of the superior court; and, as such, they attend all sessions of the superior court and discharge in the superior court all duties which they are required by law to perform in the circuit court. The prosecuting attorney of the judicial circuit prosecutes the pleas of the state in the superior court.²⁵

Under direction of the judge, the clerk provides order books, judgment dockets, execution dockets, fee books, and such other books as may be necessary to the functioning of the court. All books, papers, and proceedings of the superior court are kept distinct and separate from those of other courts.²⁶

The records are located in the Michigan City Courthouse.

¹⁶ Acts 1933; Burns 48-4501; Baldwin 11576.

¹⁷ Hamilton v. Fort Wayne, 73 Ind. 1.

¹⁸ Acts 1895, ch. 104, sec. 9. Acts 1897, ch. 156. Acts 1899, ch. 253, secs. 5, 7. Acts 1881 (Spec. Sess.); Burns 4-303; Baldwin 1397.

¹⁹ Acts 1881 (Spec. Sess.); Burns 4-303; Baldwin 1397. Acts 1931; Burns 4-1204; Baldwin 1563. Acts 1903, 1913, 1931, 1935, 1937; Burns 1938 suppl., 9-2801; Baldwin, 1937 suppl., 1759.

²⁰ Acts 1895; Burns 4-1211; Baldwin 1528.

²¹ Acts 1895; Burns 4-1212, 4-1213; Baldwin 1529, 1530.

²² Acts 1895; Burns 4-1214; Baldwin 1531.

²³ Acts 1895; Burns 4-1220; Baldwin 1538.

²⁴ Acts 1931; Burns 4-1205; Baldwin 1564. Acts 1931, 1935; Burns, 1938 suppl., 4-1202; Baldwin, 1935 suppl., 1558.

²⁵ Acts 1895, 1897, 1899; Burns 4-1209; Baldwin 1525.

²⁶ Acts 1895; Burns 4-1217; Baldwin 1534.

CIVIL CAUSES

ENTRY OF CAUSES

162. CIVIL ENTRY DOCKET, 1895-1921. 4 vols. (1-4). 1922— in Fee Book [Civil], entry 201.

Record of filing of actions in civil causes, showing cause number, date of filing, names of plaintiff and defendant, nature of cause, and amounts of judgment and fees. Arr. numerically by cause nos. Indexed alph. by names of plaintiffs. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

ORIGINAL DOCUMENTS

163. CIVIL CASES, 1895—. 289 file boxes.

Original instruments filed in civil causes, including affidavits, writs, applications, complaints, summonses, subpoenas, reports, inquests for epileptic and feeble-minded persons, commitments and proofs of publication, showing cause number, dates of instrument and filing, names of plaintiff, defendant, attorneys, witnesses, physician, patient and institution, conditions of instrument, and disposition. Arr. numerically by cause nos. No index. Hdw. 11 x 5 x 14. Clk. vt.

NATURALIZATION

164. NATURALIZATION RECORD, SUPERIOR COURT, 1895—. 22 vols.

Original instruments pertaining to naturalization of alien residents of U. S., including declarations of intention to become citizens, applications for citizenship and final oaths, showing dates of arrival in U. S., declaration, petition and oath, name, age, occupation, present address and date and place of birth of alien, ports of sailing and entry, names and affidavits of witnesses, oath of renunciation of native land and allegiance to U. S., and court order of admittance to citizenship. Arr. chron. by dates of declarations. Indexed alph. by names of aliens. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

MINUTES

165. JUDGES CIVIL DOCKET, 1895—. 60 vols.

Record of actions and proceedings in civil causes, showing cause number, date of filing, names of plaintiff and defendant, nature of action, and disposition of cause. Also contains: Judges Criminal Docket, 1895-1907, entry 178. Arr. numerically by cause nos. No index. Hdw. 150 pp. 11 x 17 x 1½. Clk. vt.

ORDERS

166. CIVIL ORDER BOOK, 1895—. 36 vols. (1-36).

Record of all actions and proceedings in civil and criminal causes, including feeble-minded and epileptic causes, showing cause number, date of action, names of plaintiff, defendant and judge, and disposition. Also contains: Complete Record, Civil, 1919—, entry 174. Arr. chron. by dates of action. Indexed alph. by names of plaintiffs. 1895-Dec. 3, 1903, hdw.; Dec. 5, 1903—, typed. 500 pp. 18 x 12 x 2. 35 vols., 1895-Feb. 6, 1939, clk. vt.; 1 vol., Feb. 7, 1939—, clk. off.

JUDGMENTS

167. JUDGMENT DOCKET, 1895—. 6 vols. (1-6).

Record of judgments rendered by court in civil causes, showing cause number, date and amount of judgment, names of plaintiff and defendant, and volume and page reference to Civil Order Book, entry 166. Arr. chron. by dates of judgments. Indexed alph. by names of plaintiffs; for separate index, see entry 168. Hdw. 500 pp. 18 x 12 x 2. 4 vols., 1895-May 10, 1933, clk. vt.; 2 vols., May 11, 1933—, clk. off.

168. GENERAL INDEX OF JUDGMENTS, 1895—. 3 vols. (1-3).

General index to judgments in Civil Order Book, entry 166, Judgment Docket, entry 167, Execution Docket, entry 169, showing date and amount of judgment, names of plaintiff and defendant, and volume and page reference to recording. Arr. alph. by names of defendants. Hdw. 500 pp. 18 x 12 x 2. 1 vol., 1895-1921, clk. vt.; 2 vols., 1922—, clk. off.

EXECUTIONS

169. EXECUTION DOCKET, 1895—. 2 vols. (1, 2).

Record of executions of court decrees in settlement of judgments, showing cause number, names of plaintiff and defendant, amounts of judgment and costs, date of execution, and sheriff's return. Arr. chron. by dates of execution. Indexed alph. by names of plaintiffs. Hdw. 300 pp. 18 x 12 x 2. 1 vol., 1895-Mar. 19, 1927, clk. vt.; 1 vol., Mar. 20, 1927—, clk. off.

170. RECORD OF EXECUTIONS, 1895—. 9 file boxes.

Original writs for execution of decrees on judgments, showing cause number, dates of writ and service, names of plaintiff and defendant, amounts of judgment and costs, location and description of property, and sheriff's return. Arr. numerically by cause nos. No index. Hdw. and typed. 11 x 5 x 14. Clk. vt.

171. LIS PENDENS [Sheriff's Notice], 1895—. 1 vol.

Record of notices of levy on property to satisfy judgments, showing cause number, dates of notice and levy, names of plaintiff and defendant, amount of judgment, and location and description of property. Arr. chron. by dates of notices. Indexed alph. by names of plaintiffs. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

172. LIS PENDENS RECORD, SHERIFF'S CERTIFICATE OF SALE, 1895—. 1 vol.

Record of certificates of sale issued to purchasers of property sold to satisfy judgments, showing cause number, dates and amounts of judgment and sale, names of plaintiff, defendant and purchaser, and location and description of property. Arr. chron. by dates of sale. Indexed alph. by names of plaintiffs. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

173. REDEMPTION RECORD, 1895—. 1 vol.

Record of redemption of property sold to satisfy judgments, showing cause number, dates of certificate and redemption, names of plaintiff, defendant and redeemer, location and description of property, and volume and page reference to Lis Pendens Record, Sheriff's Certificate of Sale, entry 172. Arr. chron. by dates of redemption. Indexed alph. by names of plaintiffs. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

COMPLETE TRANSCRIPTS

174. COMPLETE RECORD, CIVIL, 1895-1918. 2 vols. (1, 2). 1919—
in Civil Order Book, entry 166.

Transcripts of actions and court proceedings involving titles of real property, showing cause number, dates of action and filing, names of plaintiff and defendant, nature of action, description of property, and court proceedings. Arr. chron. by dates of action. Indexed alph. by names of plaintiffs. 1895-Jan. 15, 1908, hdw.; Jan. 16, 1908-18, typed. 500 pp. 18 x 12 x 2. Clk. vt.

CRIMINAL CAUSES

ENTRY OF CAUSES

175. CRIMINAL ENTRY DOCKET, 1895-1923. 2 vols. (1, 2). 1924—
in Fee Book [Criminal], entry 202.

Record of filing of actions in criminal causes, showing cause number, names of defendant and attorneys, nature of cause, and disposition. Arr. numerically by cause nos. Indexed alph. by names of defendants. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

ORIGINAL DOCUMENTS

176. STATE CASES, 1895—. 28 file boxes.

Original instruments filed in criminal causes, including affidavits, indictments, bonds, pleas, denials, motions and commitments, showing cause number, date of filing, names of defendant and state's witnesses, nature of charge, and disposition. Arr. numerically by cause nos. No index. Hdw. and typed. 11 x 5 x 14. Clk. vt.

INDICTMENTS

177. INDICTMENT RECORD, 1897—. 2 vols. (1, 2).

Record of indictments returned by grand juries, showing cause number, date of indictment, names of defendant, affiant and witnesses, and nature of cause. Arr. chron. by dates of indictment. Indexed alph. by names of defendants. Hdw. and typed. 500 pp. 18 x 12 x 2. Clk. vt.

MINUTES

178. JUDGES CRIMINAL DOCKET, 1908—. 2 vols. (1, 2). 1895-1907 in
Judges Civil Docket, entry 165.

Record of actions and proceedings in criminal causes, showing date of action, cause number, name of defendant, nature of cause, and disposition. Arr. numerically by cause nos. No index. 500 pp. 12 x 11 x 2. Clk. vt.

ORDERS

(See entry 166)

COMPLETE TRANSCRIPTS

179. COMPLETE RECORD, CRIMINAL, 1897-1910. 1 vol. 1911—, see
entry 166.

Record of all proceedings in criminal causes, showing cause number, date of action, names of defendant and witnesses, nature of cause, and dis-

position. Arr. chron. by dates of action. Indexed alph. by names of defendants. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

PROBATE CAUSES

ENTRY OF CAUSES

180. ESTATES ENTRY CLAIM AND ALLOWANCE DOCKET AND FEE BOOK, 1899—. 9 vols. (1-5, 3-6).

Record of filing of actions in estate causes, showing cause number, dates of decedent's death, letters of administration, inventory, sale bill and claim and allowance, names of decedent, administrator or executor, sureties and claimant, amounts of inventory, sale bill, administrator's or executor's bond and claim and allowance, nature and number of claim, and action taken. Arr. numerically by cause nos. Indexed alph. by names of decedents. Hdw. 500 pp. 18 x 12 x 2. 5 vols., 1899-Oct. 10, 1928, clk. vt.; 3 vols., Oct. 11, 1928—, clk. off.

181. GUARDIANSHIP DOCKET AND FEE BOOK, 1899—. 2 vols. (1, 2).

Record of filing of actions in guardianship causes, showing cause number, dates of guardianship letters, bond, filing and action, names of guardianship, guardian, ward and sureties, amount of bond, nature and amounts of fees and costs, and action taken. Arr. numerically by cause nos. Indexed alph. by names of guardianships. Hdw. 500 pp. 18 x 12 x 2. 1 vol., 1899-June 28, 1927, clk. vt.; 1 vol., June 30, 1927—, clk. off.

ORIGINAL DOCUMENTS

182. PROBATE CASES, 1899—. 76 file boxes.

Original instruments filed in estate causes, including letters, bonds, inventories, sale bills, wills, petitions and claims, showing cause number, dates of instrument and filing, names of estate, administrator or executor, beneficiaries, sureties, plaintiff, defendant and attorneys, conditions of instrument, nature of cause, and disposition. Arr. numerically by cause nos. No index. Hdw. and typed. 11 x 5 x 14. Clk. vt.

183. GUARDIANSHIP CASES, 1899—. 18 file boxes.

Original instruments filed in guardianship causes, including petitions, letters, bonds, inventories, sale bills and claims, showing cause number, dates of instrument and filing, names of guardianship, guardian, ward and sureties, conditions of instrument, and disposition. Arr. numerically by cause nos. No index. Hdw. and typed. 11 x 5 x 14. Clk. vt.

WILLS

(See also entries 81, 131)

184. WILL RECORD, 1899—. 5 vols. (1-5).

Transcripts of wills filed for probate and affidavits of deaths, showing dates of will, affidavit and filing, names of testator, executor, witnesses, heirs and affiants, conditions of will and affidavit, and amounts of bequests. Arr. chron. by dates of filing. Indexed alph. by names of testators. 1899-Sept. 6, 1907, hdw.; Sept. 25, 1907—, typed. 500 pp. 18 x 12 x 2. 4 vols., 1899-Nov. 27, 1933, clk. vt.; 1 vol., Dec. 23, 1933—, clk. off.

BONDS

185. ADMINISTRATORS BONDS, OATHS, AND LETTERS, 1899-1928. 2 vols. (1, 2). Discontinued.

Record of administrators' bonds posted, oaths administered and letters issued for administration of estates, showing dates of bond, oath, letters and filing, names of estate, administrator and sureties, amount and conditions of bond, and oath of fidelity. Arr. chron. by dates of filing. Indexed alph. by names of administrators. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

For original bonds, oaths and letters to date, see entry 182.

186. ADMINISTRATORS ADDITIONAL BONDS TO SELL REAL ESTATE, 1899-1928. 1 vol. Discontinued.

Transcripts of bonds posted by administrators to sell property involved in settlement of estates, showing date of filing, names of estate, sureties and administrator, and date, amount and conditions of bond. Arr. chron. by dates of filing. Indexed alph. by names of administrators. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

For original bonds to date, see entry 182.

187. EXECUTORS BONDS, 1899-1928. 1 vol. Discontinued.

Record of bonds posted by executors in estate causes, showing dates of bond and filing, names of estate, executor and sureties, and amount and conditions of bond. Arr. chron. by dates of filing. Indexed alph. by names of executors. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

For original bonds to date, see entry 182.

188. EXECUTORS ADDITIONAL BONDS TO SELL REAL ESTATE, 1899-1928. 1 vol. Discontinued.

Record of bonds posted by executors to sell real estate in settlement of estates, showing dates of bond and filing, names of estate, executor and sureties, and amount and conditions of bond. Arr. chron. by dates of bonds. Indexed alph. by names of executors. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

For original bonds to date, see entry 182.

189. GUARDIANS BONDS, 1899-1928. 1 vol. Discontinued.

Record of fidelity bonds posted by guardians, showing dates of bond and filing, names of guardianship, guardian and sureties, and amount and conditions of bond. Arr. chron. by dates of filing. Indexed alph. by names of guardians. Hdw. 425 pp. 16 x 11 x 2. Clk. vt.

For original bonds to date, see entry 183.

INVENTORIES

190. INVENTORY RECORD OF ESTATES, 1899-1928. 2 vols. (1, 2). 1929— in Probate Order Book, entry 194.

Transcripts of inventories of personal property of estates, showing dates of inventory and filing, names of estate, administrator or executor, appraiser and creditors, description and appraised valuation of property, and amount of indebtedness. Arr. chron. by dates of filing. Indexed alph. by names of estates. 1899-Dec. 12, 1912, hdw.; Dec. 13, 1912-28, typed. 500 pp. 18 x 12 x 2. Clk. vt.

191. GUARDIANS INVENTORY RECORD, 1899-1928. 1 vol. 1929— in Probate Order Book, entry 194.

Transcripts of guardians' inventories of real and personal property of wards, showing dates of inventory and filing, names of guardianship, guardian and ward, location, description and appraised valuation of property, and amount of indebtedness. Arr. chron. by dates of filing. Indexed alph. by names of guardianships. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

MINUTES

192. JUDGES PROBATE DOCKET, 1899—. 13 vols.

Record of actions and proceedings in estate causes, showing cause number, date of action, names of estate, attorney and administrator, nature of action, and court proceedings. Also contains: Judges Guardianship Docket, 1899-1908, entry 193. Arr. numerically by cause nos. Indexed alph. by names of estates. Hdw. 500 pp. 12 x 11 x 2. Clk. vt.

193. JUDGES GUARDIANSHIP DOCKET, 1909—. 2 vols. (1, 2). 1899-1908 in Judges Probate Docket, entry 192.

Record of actions and proceedings in guardianship causes, showing cause number, date of action, names of guardianship, guardian, ward, sureties and attorneys, amount of bond, and court proceedings. Arr. numerically by cause nos. Indexed alph. by names of guardianships. Hdw. 500 pp. 12 x 11 x 5. Clk. vt.

ORDERS

194. PROBATE ORDER BOOK, 1899—. 15 vols. (A-O).

Transcripts of all actions and proceedings in probate causes, showing cause number, dates of filing and action, names of estate, guardianship, guardian, executor or administrator, ward, heirs and witnesses, nature of cause, and disposition. Also contains: Inventory Record of Estates, 1929—, entry 190; Guardians Inventory Record, 1929—, entry 191; Record of Sales of Personal Property, 1918, entry 195; Partition Record, 1917—, entry 196; Complete Record Probate, 1920—, entry 197. Arr. chron. by dates of action. Indexed alph. by names of estates and guardianships. 1899-Oct. 7, 1907, hdw.; Oct. 8, 1907—, typed. 500 pp. 18 x 12 x 2. 14 vols., 1899-Oct. 12, 1938, clk. vt.; 1 vol., Oct. 13, 1938—, clk. off.

195. RECORD OF SALES OF PERSONAL PROPERTY, 1899-1917. 1 vol. 1918— in Probate Order Book, entry 194.

Record of inventories and sale bills of personal property of estates and guardianships, showing dates of inventory, sale and filing, names of estates, guardianship, guardian, administrator or executor, appraiser and purchaser, location, description and appraised value of property, and amounts of inventory and sale. Arr. chron. by dates of filing. Indexed alph. by names of estates and guardianships. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

196. PARTITION RECORD, 1898-1916. 2 vols. (1, 1). 1917— in Probate Order Book, entry 194.

Record of court decrees in partition actions for division of real property in settlement of estates, showing cause number, date of decree, names

of plaintiff, defendant, commissioner and sureties, location and description of property, and order of court. Arr. numerically by cause nos. Indexed alph. by names of plaintiffs. 1898-Mar. 9, 1908, hdw.; Mar. 10, 1908-16, typed. 500 pp. 18 x 12 x 2. Clk. vt.

COMPLETE TRANSCRIPTS

197. COMPLETE RECORD, PROBATE, 1899-Mar. 1919. 2 vols. (1, 2). 1920— in Probate Order Book, entry 194.

Transcripts of all actions and proceedings in estate causes involving titles to real estate, showing cause number, dates of decedent's death, filing and court action, names of estate, heirs, guardian and administrator or executor, location and description of property, and disposition. Arr. chron. by dates of filing. Indexed alph. by names of estates. 1899-Oct. 7, 1907, hdw.; Oct. 8, 1907-Mar. 1919, typed. 500 pp. 18 x 12 x 2. Clk. vt.

MISCELLANEOUS RECORDS

BONDS

198. COST BOND RECORD, 1897-1928. 1 vol. Discontinued.

Record of bonds posted to guarantee payment of court costs, showing dates of bond and filing, names of plaintiff, defendant, sureties and attorneys, and amount and conditions of bond. Arr. chron. by dates of filing. Indexed alph. by names of plaintiffs. Hdw. 500 pp. 18 x 11 x 2. Clk. vt.

FEE AND CASH RECORDS

199. CLERKS DAILY BALANCE, 1915—. 7 vols. (1-7).

Record of clerk's daily balance of cash, showing date of statement, amounts of daily receipts and disbursements, amount deposited, balances in bank and in each fund, and name of depository. Arr. chron. by dates of statements. No index. Hdw. 300 pp. 9 x 11 x 2. Clk. vt.

200. CASH RECORD OF RECEIPTS AND DISBURSEMENTS, 1895—. 7 vols.

Record of money received and disbursed by clerk, showing cause number, date, amount and nature of receipt or disbursement, names of payer or payee and fund, receipt or check number, total amount of receipts or disbursements. No index. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

201. FEE BOOK [Civil], 1895—. 15 vols. (1-15).

Record of fees assessed in civil causes, showing cause number, date of payment, names of payer, plaintiff and defendant, and nature and amount of fee. Also contains: Civil Entry Docket, 1922—, entry 162; Fee Book [Criminal], 1895-1910, entry 202. Arr. numerically by cause nos. Indexed alph. by names of plaintiffs. Hdw. 500 pp. 18 x 12 x 2. Clk. vt.

202. FEE BOOK [Criminal], 1911—. 2 vols. (1, 2). 1895-1910 in Fee Book [Civil], entry 201.

Record of fees assessed in criminal causes, showing cause number, names of defendant and state's witnesses, and total amounts of fees and costs. Also contains: Criminal Entry Docket, 1924—, entry 175. Arr. numerically by cause nos. Indexed alph. by names of defendants. Hdw. 500 pp. 18 x 12 x 2. Clk. off.

203. SUPPORT DOCKET, 1911—. 3 vols. (1-3). 1895-1910 in Register of Witness and Other Fees, entry 205.

Record of payments received on court orders and disbursed for support of dependents and for alimony, showing cause number, dates and amounts of receipt and disbursement, and names of payer and payee. Arr. numerically by cause nos. Indexed alph. by names of payers. Hdw. 500 pp. 12 x 17 x 2. Clk. off.

204. REGISTER OF FEES AND FUNDS HELD IN TRUST, 1912—. 2 vols. Register of fees and funds held in trust, showing cause number, dates and amounts of receipt and disbursement, names of plaintiff, defendant, payer and payee, and nature of fee. Arr. numerically by cause nos. Indexed alph. by names of payees. Hdw. 400 pp. 18 x 12 x 2. Clk. vt.

For prior records, see entry 205.

205. REGISTER OF WITNESS AND OTHER FEES, 1895-1911. 1 vol.

Register of witness and miscellaneous fees assessed and disbursed in civil causes, showing cause number, date, amount and nature of receipt and disbursement, and names of plaintiff, defendant and witnesses. Also contains: Support Docket, 1895-1910, entry 203. Arr. numerically by cause nos. Indexed alph. by names of plaintiffs. Hdw. 400 pp. 18 x 12 x 2. Clk. vt.

For subsequent records, see entry 204.

VII. SHERIFF

The sheriff is a constitutional officer elected for a two-year term, and he is not eligible to hold office more than four years in any six year period. The office of sheriff in La Porte County is established under the Constitution of 1851 and the Revised Statutes of 1852. He is commissioned by the governor, and must post a bond of not less than five thousand dollars nor more than fifteen thousand dollars as determined by the board of commissioners.¹

The office of sheriff was established in La Porte County in 1832, under the authority of the Revised Laws of 1824, and the county organization act.² The sheriff's first duty after the formation of the county was to hold a special election for the more important officers. Accordingly, the sheriff, following his appointment by the governor, called for an election in May 1832.³ There has been no significant change in his powers and duties.⁴

The sheriff is a conservator of the peace within the county. He is required to arrest without process all persons, who within his view commit any crime or misdemeanor, and detain them in custody during investigation of the cause of the arrest; suppress all breaches of the peace, with authority to call to his aid the power of the county; pursue and commit to jail all felons; maintain the jail and take care of the

¹ Const., art. 6, sec. 2. 2 Rev. Stat. 1852. Acts 1937; Burns, 1938 suppl., 49-2801; Baldwin, 1937 suppl., 5493.

² Rev. Laws 1824, ch. 100, sec. 6. Acts 1831-32 (general), ch. 2, sec. 2.

³ Commissioners' Record, A:1.

⁴ Rev. Laws 1824, ch. 100, secs. 10, 14.

prisoners confined therein; execute all process directed to him by legal authority; and preserve and maintain order in all courts in the county, except those of justices of the peace.⁵ It is his duty to make arrests on warrants issued on indictments and affidavits and commit the arrested persons to jail or hold them to bail as provided by law; to serve summonses in cases of misdemeanors,⁶ and to protect persons from being lynched.⁷

The sheriff sells property on execution and on mortgage foreclosure proceedings;⁸ executes deeds to real property sold by him;⁹ conveys persons committed to state charitable, correctional, and penal institutions;¹⁰ and attends sessions and executes orders of the county council¹¹ and board of commissioners.¹² He is also a deputy of the sheriff of the supreme court of the state¹³ and as such serves all process and orders of the supreme and appellate courts directed to him.¹⁴

Whenever the sheriff is unable to attend to his duties, the coroner performs them;¹⁵ and if both the sheriff and coroner are unable to act, it is then the duty of the circuit court to appoint an elisor who discharges the sheriff's duties until the disability of the sheriff or coroner is removed.¹⁶ The sheriff appoints deputies and bailiffs. They are to assist him as he directs and he is responsible for their official acts.¹⁷

The chief records kept by the sheriff are a cashbook, a fee book,¹⁸ and a jail record.¹⁹

SERVICE ON WRITS

206. REGISTER OF FOREIGN WRITS, 1911—. 4 vols.

Record of writs from foreign counties served by sheriff of La Porte County, showing cause number, dates of writ, service and return, names of foreign county, plaintiff and defendant, nature of writ, and amount of costs. Arr. chron. by dates of services. No index. Hdw. 500 pp. 18 x 12 x 2. 1 vol., 1911-22, bsmt. rec. rm. 1; 3 vols., 1923—, sher. off., La Porte.

207. SHERIFF JURY DOCKET, 1895—. 1 vol.

Record of qualified citizens summoned for jury service, showing dates

⁵ 2 Rev. Stat. 1852; Burns 49-2802; Baldwin 5494.

⁶ Acts 1905, 1937; Burns, 1938 suppl., 9-1001; Baldwin, 1937 suppl., 2134.

⁷ Acts 1905; Burns 10-3309, 10-3310; Baldwin 2530, 2531.

⁸ Acts 1881 (Spec. Sess.); Burns 2-3601, 3-1819; Baldwin 574, 1014.

⁹ Acts 1881 (Spec. Sess.); Burns 2-4101; Baldwin 619. Acts 1931; Burns 3-1806; Baldwin 1008.

¹⁰ Acts 1905; Burns 9-2232, 22-2013; Baldwin 2339, 4206. Acts 1911; Burns 22-1716; Baldwin 4230. Acts 1919; Burns 22-1809; Baldwin 4264. Acts 1927; Burns 22-1213; Baldwin 4305.

¹¹ Acts 1899; Burns 26-510; Baldwin 5374.

¹² 1 Rev. Stat. 1852; Burns 26-611; Baldwin 5226.

¹³ 2 Rev. Stat. 1852; Burns 49-2203; Baldwin 1339. 2 Rev. Stat. 1852. Acts 1889; Burns 49-2204; Baldwin 1340.

¹⁴ Acts 1891; Burns 4-230; Baldwin 1378.

¹⁵ 2 Rev. Stat. 1852, Acts 1933; Burns 49-2901, 49-2902; Baldwin 5436, 5437.

¹⁶ 2 Rev. Stat. 1852; Burns 4-322; Baldwin 1411.

¹⁷ 2 Rev. Stat. 1852; Burns 49-2804; Baldwin 5496.

¹⁸ Acts 1895; Burns 49-1401; Baldwin 7576.

¹⁹ Acts 1909; Burns 13-1007; Baldwin 13459.

of trial, venire and court term, names of veniremen and jurors selected, and number of days of jury service. Arr. chron. by dates of court terms. No index. Hdw. 500 pp. 18 x 12 x 2. Sher. off., Michigan City.

208. SHERIFF'S JURY BOOK, 1873—. 2 vols.

Register of jurors empanelled and discharged in court causes, showing dates of trial and court term, names of plaintiff, defendant and jurors, number of days of jury service, mileage, and amount of fees. Arr. chron. by dates of court terms. No index. Hdw. 500 pp. 18 x 12 x 2. 1 vol., 1873-1900, bsmt. rec. rm. 1; 1 vol., 1901—, sher. off., La Porte.

209. SHERIFF'S MILEAGE RECORD, 1929—. 1 vol.

Record of mileage covered in service of writs by sheriff, showing cause number, date of service, mileage, and amount of fees. Arr. chron. by dates of services. No index. Hdw. 300 pp. 10 x 16 x 1. Sher. off., Michigan City.

JAIL RECORDS

210. JAIL REGISTER, 1870—. 7 vols.

Record of persons confined in county jail, showing dates of commitment and release, name, address, age, sex and color of prisoner, nature of offense, length of sentence, amount of fine, and cost of board. Arr. chron. by dates of commitments. No index. Hdw. 300 pp. 17 x 11 x 1. 5 vols., 1870-Feb. 1916, bsmt. rec. rm. 1; 2 vols., Mar. 1916—, sher. off., La Porte.

FEE AND CASH RECORDS

211. CASH BOOK, 1893—. 2 vols. (1, 1).

Record of receipts and disbursements of cash collected by sheriff, showing number, date and amount of receipt or disbursement, and name of payer or payee. Arr. chron. by dates of receipts and disbursements. No index. Hdw. 500 pp. 17 x 10 x 2. 1 vol., 1893-Apr. 1919, bsmt. rec. rm. 1; 1 vol., June 1919—, sher. off., La Porte.

212. SHERIFF'S FEE REGISTER, 1874—. 16 vols.

Register of fees collected for service on writs, showing cause number, date of service, names of plaintiff, defendant and witnesses, and kind and amount of fees. Arr. chron. by dates of services. Indexed alph. by names of plaintiffs. Hdw. 500 pp. 18 x 12 x 2. 11 vols., 1874-Dec. 23, 1924, bsmt. rec. rm. 1; 5 vols., Dec. 25, 1924—, sher. off., La Porte.

213. SHERIFF'S FEE REGISTER, 1895—. 7 vols.

Register of fees collected for service on writs, showing cause number, nature of cause, date of service, names of plaintiff and defendant, and amount of fee. Arr. chron. by dates of services. Indexed alph. by names of plaintiffs. Hdw. 500 p. 18 x 12 x 2. Sher. off., Michigan City.

MAPS

214. LA PORTE COUNTY, INDIANA, 1936. 1 map.

Political and communications map of La Porte County, showing names of townships, public highways, cemeteries, schools, railroads, towns, villages, lakes, rivers, ditches and adjoining counties. Published at La Porte by John A. Kelly. Blueprint. Scale: 1" to 1 mi. 39 x 28. Sher. off., La Porte.

VIII. CORONER

The coroner is a constitutional officer, elected for a two-year term without restriction on re-election. The office of coroner of La Porte County is established under the Constitution of 1851.¹ He is commissioned by the governor under the Revised Statutes of 1852, and is required to post a bond of not less than one thousand dollars nor more than five thousand dollars, as fixed by the board of commissioners.²

Prior to the Constitution of 1851, the office of coroner of La Porte County was established in 1832, under the authority of the Constitution of 1816 and the Revised Laws of 1824.³ There has been no major change in the office of coroner, other than the abolition of the coroner's jury⁴ and the consequent transformation of the inquest from a court hearing in public to a formal nonjudicial inquiry.⁵

The coroner is required to investigate deaths by violence, accident, or other than natural causes; to inquire into the cause and manner of death;⁶ and to order the arrest of any person whom he may charge with murder.⁷ He holds inquests without a jury,⁸ and may subpoena witnesses and employ a physician to make a post-mortem examination;⁹ he draws up his verdict¹⁰ and files it in the office of the clerk of the circuit court, together with a report giving a minute description of the deceased and valuables found with the body.¹¹ The coroner is a peace officer with the same powers as the sheriff,¹² and acts as sheriff in event of absence, a vacancy in the office, personal interest, or incapacity of that officer.¹³ He arrests and commits the sheriff to jail, if necessary.¹⁴

215. CORONER'S VERDICT AND INQUEST, 1840—. 26 bdls., 17 file boxes.

Original papers pertaining to coroner's inquests in cases of accidental or violent deaths, showing name, age, sex, color and description of deceased, names and statements of witnesses, and coroner's verdict. 1840-Sept. 20, 1926, hdw.; Sept. 28, 1926—, typed. Bdls., 8 x 12 x 12; file boxes, 11 x 4 x 12. 26 bdls., 1840-Oct. 1921, bsmt. rec. rm. 1; 12 file boxes, Dec. 1921-31, clk. vt.; 5 file boxes, 1932—, clk. off.

¹ Const., art. 6, sec. 2.

² 2 Rev. Stat. 1852, Acts 1933; Burns 49-2901; Baldwin 5436.

³ Const. 1816, art. 4, sec. 25. Rev. Laws 1824, ch. 100, secs. 1-8.

⁴ Acts 1879; Burns 49-2905; Baldwin 5444.

⁵ Acts 1817-18 (general), ch. 20, secs. 1-9. See also *Stults v. Board of County Commissioners*, 168 Ind. 539; 81 N.E. 471.

⁶ 2 Rev. Stat. 1852, Acts 1871, 1879 (Spec. Sess.), 1935; Burns, 1938 suppl., 49-2904; Baldwin, 1935 suppl., 5439.

⁷ 2 Rev. Stat. 1852; Burns 49-2914; Baldwin 5448.

⁸ Acts 1879 (Spec. Sess.); Burns 49-2905; Baldwin 5444.

⁹ 2 Rev. Stat. 1852; Burns 49-2906; Baldwin 5440.

¹⁰ 2 Rev. Stat. 1852, Acts 1879 (Spec. Sess.); Burns 49-2908; Baldwin 5442.

¹¹ 2 Rev. Stat. 1852, Acts 1879 (Spec. Sess.); Burns 49-2909; Baldwin 5443.

¹² 2 Rev. Stat. 1852, Acts 1933; Burns 49-2901; Baldwin 5436.

¹³ 2 Rev. Stat. 1852; Burns 49-2902; Baldwin 5437.

¹⁴ 2 Rev. Stat. 1852; Burns 49-2903; Baldwin 5438.

216. RECORD OF CORONER INQUESTS, 1899. 1 vol.

Record of coroner's inquests in cases of accidental or violent deaths, showing date of inquest, name, age, sex, color and description of deceased, statement of witnesses, and coroner's verdict. Arr. chron. by dates of inquests. No index. Hdw. 400 pp. 18 x 12 x 2. Clk. vt.

IX. PROSECUTING ATTORNEY

The prosecuting attorney is a constitutional officer, elected by the voters of each judicial circuit for a two-year term.¹ He is an officer of the circuit court and must reside within the bounds of the judicial circuit.² He must post bond in the amount of \$5,000, approved by the circuit judge, and filed with the clerk of the circuit court.³ He officially represents the state and county, and prosecutes the pleas of the state in the La Porte Circuit Court and the La Porte Superior Court.⁴

Under authority of an act of 1831, the judicial circuit had a prosecuting attorney who was chosen by a joint ballot of the senate and house of representatives for a two-year term. He took an oath of office administered by the president judge of the circuit, and executed a bond, to be approved by said judge, in penalty of \$5,000. His salary remained \$150 per year.⁵ An act of 1843 provided that he be elected by the voters of the circuit for a two-year term and be commissioned by the governor. He was governed by his former statutory duties and was required to be a lawyer licensed to practice in the courts of Indiana.⁶ This law was amended in 1848, but in 1851 this law was repealed and the law of 1843 was revived.⁷ The prosecuting attorney was made a constitutional officer by the Constitution of 1851.⁸

Whenever a prosecuting attorney fails to attend any court in his circuit, it is the duty of the judge to appoint some person to act in his place. The compensation for such deputy is deducted from the salary of the prosecutor.⁹ He administers oaths,¹⁰ and performs the duties of notaries public.¹¹ He collects docket fees for his services in criminal prosecutions, divorce cases, suits on forfeited recognizances, and other suits which he is required to prosecute or defend.¹² He cannot represent applicants for liquor licenses.¹³

The prosecuting attorney, in La Porte County, conducts all prosecutions for felonies or misdemeanors and all suits on forfeited recognizances; resists applications for changing names; protects the interests

¹ Const., art. 7, secs. 11, 12.

² State ex rel. Howard v. Johnson, 101 Ind. 223.

³ 2 Rev. Stat. 1852; Burns 49-2502; Baldwin 5458.

⁴ 2 Rev. Stat. 1852; Burns 49-2501, 49-2502; Baldwin 5456, 5458.

⁵ Rev. Laws 1831, ch. 10, secs. 1, 2, 3, 4, 5.

⁶ Acts 1842-43, ch. 15, secs. 1, 2, 3, 4, 5.

⁷ Acts 1850-51, ch. 132, secs. 1, 2, 3.

⁸ Const., art. 7, secs. 11, 12.

⁹ 2 Rev. Stat. 1852; Burns 49-2505; Baldwin 5461.

¹⁰ Acts 1901; Burns 49-2506; Baldwin 5462.

¹¹ Acts 1919; Burns 49-2507 to 49-2510; Baldwin 5463 to 5466.

¹² Acts 1875 (Spec. Sess.); Burns 49-2511; Baldwin 5468.

¹³ Acts 1901, 1913; Burns 49-2513; Baldwin 5467.

of all persons of unsound mind; and superintends on behalf of the county all suits in which the county may be interested or involved.¹⁴

He prosecutes bastardy suits;¹⁵ resists undefended divorce suits;¹⁶ recovers gaming losses for a dependent wife and/or children, or for the state;¹⁷ prosecutes suits to enjoin violation of laws concerning horse racing;¹⁸ prosecutes in city courts for criminal offenses under state laws.¹⁹ Whenever county officials fail to make the proper reports or payments to other county officials, the prosecutor moves against them.²⁰ At sessions of the grand jury, he presents evidence and gives requested advice on law.²¹

He prosecutes, before justices of the peace, cases of surety of the peace.²² He acts for the state when a surety on a forfeited recognizance sues the principal on the theory of subrogation of the rights of the state.²³

The prosecuting attorney files information for proceedings against a company to determine its rights of incorporation;²⁴ he prosecutes violations of safety and sanitary regulations concerning factories.²⁵ He prosecutes: Clerks of the circuit court for violation of the marriage license law;²⁶ officers failing to make records or payments to the state;²⁷ hedge fence suits on relation of highway supervisor,²⁸ or on relation of township trustee;²⁹ and railroads for not graveling highway crossings.³⁰

He represents the medical examination board in cases of appeal for a license;³¹ and he appears for persons of alleged unsound mind.³²

The prosecutor has many duties in aiding in the collection of taxes. He prosecutes false personal property tax lists;³³ prosecutes refusals to pay taxes;³⁴ and enforces penalties and forfeitures, not duties of the attorney-general, in the law governing the state board of tax commissioners.³⁵ He brings suit to secure delinquent real property taxes;³⁶ actions to enforce lien of State of Indiana on lands for sales for de-

¹⁴ 2 Rev. Stat. 1852; Burns 49-2504; Baldwin 5460.

¹⁵ 2 Rev. Stat. 1852; Burns 3-622; Baldwin 867.

¹⁶ Acts 1873, 1913; Burns 3-1212 to 3-1215; Baldwin 916 to 919.

¹⁷ 1 Rev. Stat. 1852; Burns 10-2323; Baldwin 2806.

¹⁸ Acts 1895; Burns 10-2711; Baldwin 9273.

¹⁹ Acts 1905; Burns 4-2409; Baldwin 11595.

²⁰ Acts 1895; Burns 49-1408; Baldwin 7583.

²¹ Acts 1905; Burns 9-826; Baldwin 2122.

²² Acts 1905; Burns 9-511; Baldwin 2059.

²³ Acts 1905; Burns 9-1045; Baldwin 2178.

²⁴ 1 Rev. Stat. 1852; Burns 39-134; Baldwin 9611.

²⁵ Acts 1899; Burns 40-1016; Baldwin 10081. Acts 1899; Burns 40-1019; Baldwin 10084.

²⁶ 1 Rev. Stat. 1852; Burns 44-204; Baldwin 5635.

²⁷ Acts 1883; Burns 49-142; Baldwin 13094.

²⁸ Acts 1891; Burns 30-303; Baldwin 7648-1.

²⁹ Acts 1895; Burns 30-307; Baldwin 7649.

³⁰ Acts 1895; Burns 55-620; Baldwin 14119.

³¹ Acts 1897, 1899, 1901; Burns 63-1306; Baldwin 10707.

³² 2 Rev. Stat. 1852, Acts 1895; Burns 8-202; Baldwin 3460.

³³ Acts 1919; Burns 64-608; Baldwin 15576.

³⁴ Acts 1919; Burns 64-719; Baldwin 15633.

³⁵ Acts 1919; Burns 64-1319; Baldwin 15723.

³⁶ Acts 1932 (Spec. Sess.); Burns 64-1511; Baldwin 15754.

linquent taxes;³⁷ suit upon treasurer's bond when he refuses or neglects to make settlement with the auditor for the full amount of the tax duplicate.³⁸ He also sues the treasurer for failure to pay the revenues of his office to the auditor.³⁹

The prosecutor makes monthly reports to the board of commissioners concerning his activities and the amount of fees collected by him and turned over to the treasurer.⁴⁰ The La Porte County Prosecuting Attorney states that he keeps no records.

X. COUNTY ASSESSOR

The assessor of La Porte County is a statutory officer, elected for a four-year term by the voters of the county. He must be a continuous resident freeholder of the county for not less than four years before the date of his election. He is required to post bond in the amount of \$5,000, approved by and filed with the auditor.¹ The office of assessor was established in its present form by an act of 1919.²

Beginning in 1832, the board of commissioners annually appointed listers to receive and take lists of taxable property, in accordance with an act of January 28, 1818.³ An act of January 30, 1824 provided that each year the board of commissioners could appoint township assessors or one or more county assessors.⁴ An act of February 10, 1841 provided for the election of a county assessor in each county for a two-year term.⁵ The office of county assessor was abolished in 1852, and the duties were transferred to township assessors elected for two-year terms.⁶ From 1841 to 1872, real property was assessed by appraisers appointed by the board of commissioners from time to time as needed.⁷ A county assessor (elected for two-year term) replaced that of appraiser in 1872;⁸ but in 1875 the office was abolished, and the duties were transferred to township assessors elected for two-year terms.⁹ An act of March 6, 1891 re-established the office of county assessor. Under this law, the assessor was elected for a four-year term, and was not eligible for re-election until four years after the expiration of the term for which he was elected. He was required to be a resident freeholder and householder of the county not less than five years before the date of his election.¹⁰

³⁷ Acts 1919; Burns 64-1518; Baldwin 15772.

³⁸ Acts 1919; Burns 64-2507; Baldwin 15856.

³⁹ Acts 1919; Burns 64-2508; Baldwin 15857.

⁴⁰ Acts 1933; Burns 49-2695; Baldwin 7550.

¹ Acts 1919, 1921; Burns 64-1101; Baldwin 15696.

² Acts 1919, 1921; Burns 64-1101 to 64-1103; Baldwin 15696, 15698, 15699.

³ Acts 1817-18 (general), ch. 42. Commissioners' Record, A:2, 14.

⁴ Rev. Laws 1824, ch. 86, sec. 5.

⁵ Acts 1840-41 (general), ch. 3, sec. 1.

⁶ 1 Rev. Stat. 1852, ch. 6, sec. 64; ch. 92, sec. 1.

⁷ Acts 1840-41 (general), ch. 1, secs. 1, 5. Acts 1850-51 (general), ch. 5, sec. 1.

1 Rev. Stat. 1852, ch. 6, secs. 44, 45. Acts 1858 (Spec. Sess.), ch. 2, sec. 1.

⁸ Acts 1872 (Spec. Sess.), ch. 37, secs. 107, 276.

⁹ Acts 1875, ch. 97, secs. 2, 7, 9.

¹⁰ Acts 1891, ch. 99, sec. 112.

The duties of the county assessor are to examine tax duplicates and other records and papers in the offices of the auditor, treasurer, recorder, clerk, sheriff, and surveyor, together with the returns of the township assessors; to discover, list, and assess all omitted property of every kind, entering his valuations in a separate column on the township assessor's books; to advise and instruct the township assessors; to report to the state board of tax commissioners any incompetency or neglect of duty on the part of township assessors;¹¹ and determine the value of intangibles for taxes.¹² He is ex officio member and president of the La Porte County Board of Review.¹³ His work is under the direction of the state board of tax commissioners, and he may be removed by that board for incompetency, neglect of duty, or misconduct in office.¹⁴

The assessor must, on or before the first Monday after July 4 each year, return to the auditor all township assessors' books, returns, lists, schedules, maps, and other papers received by him from the auditor, together with such additional lists, assessments, books, and papers as he has made thereto.¹⁵

MORTGAGES

217. RECORD OF UNCANCELLED MORTGAGES AND ASSIGNMENTS, 1914-33. 1 vol. Discontinued in 1933. Superseded by intangible tax law.

Record of uncanceled mortgages used for assessment purposes, showing date and amount of mortgage, names of mortgagor, mortgagee and township in which mortgagee resides, and volume and page reference to Mortgage Record, entry 70. Arr. alph. by names of mortgagees. No index. Hdw. 249 pp. 16 x 12 x 2. Aud. vt.

MAPS

218. MICHIGAN CITY, INDIANA, 1929. 1 map.

Political and communication map of Michigan City, showing names and locations of subdivisions, streets, public and industrial properties and railroads, and lot, block and section numbers. Drawn and published by Herbert R. Peterson, Mich. City. Blueprint. Scale: 1" to 250'. 76 x 72. Assr. off.

219. INDIANA HIGHWAY SURVEY COMMISSION MAP OF LA PORTE COUNTY, not dated. 1 map.

Communication map of La Porte County, showing location of roads, bridges, villages, towns, cities, railroads and ditches. Published by Ind. Highway Survey Commission. Blueprint. No scale given. 41 x 34. Assr. off.

¹¹ Acts 1919; Burns 64-1102; Baldwin 15698.

¹² Acts 1933, 1935; Burns, 1938 suppl., 64-905; Baldwin, 1935 suppl., 15903.

¹³ Acts 1919, 1920 (Spec. Sess.); Burns 64-1201; Baldwin 15700.

¹⁴ Acts 1919, 1921; Burns 64-1101; Baldwin 15696.

¹⁵ Acts 1919; Burns 64-1102; Baldwin 15698.

XI. COUNTY BOARD OF REVIEW

The board of review of La Porte County, established under an act of 1891,¹ and re-established in 1919, reviews property-tax assessments (except those made by the state board of tax commissioners), equalizes property valuations, and makes assessments of omitted property. The board is composed of the county assessor, auditor, and treasurer, and two freeholders of opposite political parties, appointed annually by the judge of the circuit court. The assessor is president, and the auditor is secretary.²

Before 1919, duties analogous or similar to those of the present board of review were performed by the following officers and boards: 1832 to 1838, clerk of the circuit court, with listers or assessors;³ 1839 to 1840, board of commissioners, clerk of the circuit court, and assessors or listers;⁴ 1841, board of commissioners, county assessor, and auditor (personal property only); 1841, board of equalization, composed of board of commissioners, auditor, and appraiser (real estate only);⁵ 1842 to 1852, board of equalization, composed of board of commissioners, county assessor, and auditor;⁶ 1853 to 1871, board of equalization, composed of board of commissioners, auditor, and assessors (personal property only);⁷ 1853 to 1871, board of equalization, composed of board of commissioners, county auditor, and appraiser or appraisers (real estate only);⁸ 1872 to 1880, board of equalization, composed of board of commissioners, county assessor, and auditor;⁹ 1881 to 1890, board of equalization, composed of board of commissioners and four freeholders (from different parts of the county) appointed by the circuit judge;¹⁰ 1891 to 1894, board of review, composed of county assessor, auditor, and treasurer;¹¹ 1895 to 1918, board of review, composed of county assessor, auditor, treasurer, and two freeholders appointed by the circuit judge.¹²

The board of review holds an annual meeting on the first Monday of June. A majority of all the members of the board constitutes a quorum for the transaction of business, and such majority must concur in decisions of the board. The auditor, as secretary, is required to keep full and accurate minutes of the proceedings of the board.¹³

¹ Acts 1891, ch. 99, sec. 114.

² Acts 1919, 1920 (Spec. Sess.) ; Burns 64-1201, 64-1205 ; Baldwin 15700, 15704.

³ Rev. Laws 1824, ch. 86, sec. 7. Acts 1825, ch. 47, sec. 3. Rev. Laws 1831, ch. 81, secs. 5, 7, 8.

⁴ Acts 1838-39 (general), ch. 14, secs. 14, 15. The editor substituted "clerk of the circuit court" for "auditor," in view of the last sentence of sec. 5 of said act, there being no auditor in LaPorte County in 1839 or 1840.

⁵ Acts 1838-39 (general), ch. 14, secs. 14, 15. Acts 1840-41 (general), ch. 1, sec. 13.

⁶ Acts 1840-41 (general), ch. 1, sec. 18.

⁷ 1 Rev. Stat. 1852, ch. 6, sec. 91.

⁸ *Ibid.*, ch. 35, sec. 2.

⁹ Acts 1872 (Spec. Sess.), ch. 37, secs. 150, 277, 278.

¹⁰ Acts 1881 (Spec. Sess.), ch. 96, sec. 129.

¹¹ Acts 1891, ch. 99, sec. 114.

¹² Acts 1895, ch. 36, sec. 2.

¹³ Acts 1919, 1920 (Spec. Sess.) ; Burns 64-1201 ; Baldwin 15700.

220. RECORD OF BOARD OF REVIEW, 1900—. 2 vols.

Minutes of meetings of board of review, showing date of meeting, names of members present, subjects of business discussed, and action taken. Arr. chron. by dates of meetings. No index. 1900-1902, hdw.; 1903—, typed. 500 pp. 18 x 12 x 2. Aud. off.

XII. COUNTY BOARD OF TAX ADJUSTMENT

The board of tax adjustment of La Porte County was established by an act of 1932¹ and re-established by acts of 1933² and 1937. It consists of seven members, chosen as follows: One member of the county council, selected by the council; the mayor of Michigan City or any public official of any city in the county appointed by him; one member of the county board of education selected by the board; and four freeholders of the county selected annually, two by the judge of the circuit court, and two by the judge of the superior court. All appointments are made before April 15 each year, and continue until April 15 of the succeeding year. No more than four of the seven members of the board may be members of the same political party. The board elects its own chairman and vice-chairman; and the auditor acts as clerk, but has no vote in its proceedings.³

The board established under the act of 1932 was composed of: The auditor; three members of the county council, selected by the council; and three members annually appointed by the circuit judge.⁴ The board established under the act of 1933 was composed of seven members. One member was appointed by the county council from the members of the council. The other six members were appointed by the circuit judge, as follows: A township trustee; the mayor of a city or the president of the board of trustees of a town; a member of the board of school commissioners, board of school trustees, or board of education of a school city or school town; and three freeholders of the county at large.⁵

The board of tax adjustment reviews budgets, tax levies, and tax rates adopted by the county council for the county and also those adopted by the several taxing units within the county. The board meets on the second Monday in September each year, and from day to day thereafter as its business requires, and must complete its duties on or before October 1.⁶ The auditor, as clerk, keeps a complete record of all the proceedings of the board.⁷

¹ Acts 1932 (Spec. Sess.), ch. 10, sec. 4.

² Acts 1933, ch. 237, sec. 4.

³ Acts 1937; Burns, 1938 suppl., 64-310; Baldwin, 1937 suppl., 15897-4.

⁴ Acts 1932 (Spec. Sess.), ch. 10, sec. 4.

⁵ Acts 1933, ch. 237, sec. 4.

⁶ Acts 1899; Burns 26-515; Baldwin, 5379. Acts 1937; Burns, 1938 suppl., 64-310, 64-311; Baldwin, 1937 suppl., 15897-4, 15897-5.

⁷ Acts 1937; Burns, 1938 suppl., 61-636; Baldwin, 1937 suppl., 13844-57.

221. RECORD OF BOARD OF TAX ADJUSTMENT, 1932—. 1 file box. Minutes of meetings of board of tax adjustment, showing date of meeting, names of members present, nature of business discussed, and action taken. Arr. chron. by dates of meetings. No index. Typed. 11 x 5 x 14. Aud. off.

XIII. BOARD OF FINANCE

The board of finance of La Porte County consists of the board of commissioners, under the authority of the Depository Act of 1937.¹ The board was first created by an act of 1907,² and re-created by the Depository Act of 1935.³

The board of finance has supervision of all public funds of the county and of the safekeeping and deposit thereof.⁴ It may sue and be sued, in its own name, in any court of competent jurisdiction.⁵ It designates the banks and trust companies to serve as depositories for county funds,⁶ and may revoke the commission of any depository at any time.⁷ The board keeps, as permanent records, the depositories' monthly statements of deposits.⁸ Under authority of another act of 1937, the board designates depositories for all fees and funds received by the clerk of the circuit court by virtue of his office.⁹

The board of finance holds an annual meeting on the third Monday in January, at which it elects its president;¹⁰ and holds a biennial meeting on the third Monday in February, in the odd-numbered years, at which it considers proposals and designates depositories for the ensuing two-year period.¹¹ The board holds sessions whenever necessary to discharge its duties and accomplish the purposes of the laws governing it. A majority of the members constitutes a quorum for the transaction of business. All meetings are open to the public.¹²

The auditor, as secretary of the board of finance,¹³ keeps a record of its proceedings. All records of the board are subject to public inspection.¹⁴

222. RECORD OF BOARD OF FINANCE, 1907—. 1 vol.

Minutes of meetings of board of finance, showing date of meeting, names of members present, nature of business discussed, and action

¹ Acts 1937; Burns, 1938 suppl., 61-629, 61-663; Baldwin, 1937 suppl., 13844-50, 13844-84.

² Acts 1907, ch. 222, sec. 6. This act was repealed by Acts 1935, ch. 70, sec. 42.

³ Acts 1935, ch. 70, secs. 7, 43. This act was repealed by Acts 1937, ch. 3, sec. 42.

⁴ Acts 1937; Burns, 1938 suppl., 61-629; Baldwin, 1937 suppl., 13844-50.

⁵ Acts 1937; Burns, 1938 suppl., 61-633; Baldwin, 1937 suppl., 13844-54.

⁶ Acts 1937; Burns, 1938 suppl., 61-634 to 61-636; Baldwin, 1937 suppl., 13844-55 to 13844-57.

⁷ Acts 1937; Burns, 1938 suppl., 64-310; Baldwin, 1937 suppl., 15897-4.

⁸ Acts 1937; Burns, 1938 suppl., 61-638; Baldwin, 1937 suppl., 13844-59.

⁹ Acts 1937; Burns, 1938 suppl., 61-673; Baldwin, 1937 suppl., 1438-1.

¹⁰ Acts 1937; Burns, 1938 suppl., 61-633; Baldwin, 1937 suppl., 13844-54.

¹¹ Acts 1937; Burns, 1938 suppl., 61-636; Baldwin, 1937 suppl., 13844-57.

¹² Acts 1937; Burns, 1938 suppl., 61-633; Baldwin, 1937 suppl., 13844-54.

¹³ Acts 1937; Burns, 1938 suppl., 61-629; Baldwin, 1937 suppl., 13844-50.

¹⁴ Acts 1937; Burns, 1938 suppl., 61-633; Baldwin, 1937 suppl., 13844-54.

taken. Arr. chron. by dates of meetings. No index. Hdw. 400 pp. 12 x 12 x 2. Aud. vt.

223. DEPOSITORIES, 1917—. 7 file boxes.

Monthly statements by depositories to board of finance of deposits and withdrawals of county funds, showing date of statement, names of depository and fund, amounts of deposits, withdrawals, interest earned and overdrafts or balances. Arr. chron. by dates of statements. No index. Hdw. 11 x 5 x 14. 4 file boxes, 1917-32, aud. vt.; 3 file boxes, 1933—, aud. off.

224. DEPOSITORY BOND RECORD, 1922—. 2 file boxes.

Contracts executed and bonds posted by depositories for deposits of county funds, showing dates of contract and bond, names of depository, president and cashier, conditions of contract, and amount of bond. Arr. chron. by dates of contracts and bonds. No index. Hdw. 11 x 5 x 14. 1 file box, 1922-32, aud. vt.; 1 file box, 1933—, aud. off.

XIV. COUNTY SCHOOL FUND BOARD

The school fund board of La Porte County, as created by an act of 1935, consists of the auditor and the clerk of the circuit court as ex officio members and one member appointed by the judge of the circuit court for a two-year term. No more than two members of the board may be adherents of the same political party.¹

Originally, loans from the school funds of La Porte County were made by the school commissioner, elected by the voters for a three-year term, in accordance with an act of 1829. The school commissioner was a financial agent of the county to manage the school funds and the lands belonging thereto.² This office was later abolished in La Porte County and, under the Revised Statutes of 1852, the duties thereof were divided between the auditor,³ or the clerk of the circuit court doing business as the auditor,⁴ and the treasurer.⁵ Upon approval of the trustees, the auditor had authority to make loans until 1935.⁶

The common school fund, as established by the Constitution of 1851,⁷ is kept by the auditor in pursuance of an act of 1865, in two separate accounts:⁸ (1) The common school fund, consisting of moneys from the sale of escheated property, fines assessed by the courts, all lands granted to the state without a special object named in the grant, all money and lands formerly belonging to county seminaries, and all appropriations for schools, together with sundry minor funds. (2) The congressional township school fund, consisting of moneys from the sale of congressional township school lands. Distribution of the common school fund is made biennially by the state to the counties on the basis

¹ Acts 1865, 1935; Burns, 1938 suppl., 28-209; Baldwin, 1935 suppl., 6558.

² Acts 1828-29, ch. 84, sec. 8.

³ 1 Rev. Stat. 1852, ch. 98, sec. 137.

⁴ *Ibid.*, sec. 131.

⁵ *Ibid.*, sec. 133. Acts 1865, ch. 1, sec. 54.

⁶ 1 Rev. Stat. 1852, ch. 98, secs. 34, 35. Acts 1865, ch. 1, sec. 75.

⁷ Const., art. 8, sec. 2.

⁸ Acts 1865; Burns 28-105; Baldwin 6511.

of the last enumeration of school children.⁹ Both funds are under the control of the county and are loaned and managed by the county,¹⁰ which is held liable for both principal and interest.¹¹

Whenever more than five thousand dollars in either fund remains unloaned in the county for six months, the county auditor must notify the auditor of state and the unloaned moneys may be transferred to another county.¹²

The school fund board makes all loans from these school funds to owners of real estate property secured by mortgage. The board must satisfy itself, after approval of the title by the county attorney, as to the value of real estate offered in the mortgage, the validity of the title, and whether it is encumbered.¹³ Loans may also be made to the county upon proper authorization by the county council, in certain cases, for a period not exceeding five years.¹⁴

225. RECORD OF SCHOOL FUND BOARD, 1936—. 1 file box.

Original mortgages executed on real property to secure school fund loans, showing date, amount and conditions of mortgage, name of mortgagor, and location, description and appraised value of property. Arr. chron. by dates of mortgages. No index. Typed. 11 x 5 x 14. Aud. vt.

For school fund mortgage record, see entry 71.

XV. TREASURER

The treasurer is a constitutional officer, elected for a two-year term by the voters of the county. No person is eligible to hold the office for more than four years in any period of six years.¹ The treasurer is required to post bond in an amount (determined by the board of commissioners) not less than the amount of money which may come into his hands at any time during his term.²

Beginning in 1832, the board of commissioners, under authority of an act of January 1, 1817, annually appointed a county treasurer, who received and disbursed county funds³ but did not collect taxes.⁴ The treasurer became an elective officer by an act of 1841, and ever since then has had charge of collecting taxes.⁵

The treasurer receives all moneys coming to the county and disburses the same on warrants issued by the auditor and countersigned by

⁹ Acts 1907; Burns 28-102; Baldwin 6500.

¹⁰ Acts 1865; Burns 28-101; Baldwin 6499. Acts 1907, Burns 28-102; Baldwin 6500.

¹¹ Acts 1865; Burns 28-104; Baldwin 6499-1.

¹² Acts 1901; Burns 28-206; Baldwin 6573.

¹³ Acts 1865, 1935; Burns, 1938 suppl., 28-209; Baldwin, 1935 suppl., 6558.

¹⁴ Acts 1901; Burns 28-201, 28-202; Baldwin 6568, 6569.

¹ Const., art. 6, sec. 2.

² 1 Rev. Stat. 1852, Acts 1865, 1919; Burns 49-3101; Baldwin 5548.

³ Acts 1816-17, ch. 17, secs. 1 to 3. Commissioners' Record, A:3.

⁴ Acts 1816-17, ch. 17, sec. 10; ch. 19, secs. 9, 15, 16.

⁵ Acts 1840-41 (general), ch. 4, secs. 1, 13 to 22.

himself. He stamps on the warrant the name of the depository which is to pay it. He may pay the warrant out of funds in his office or require it to be presented to the depository for payment.⁶ He collects taxes for the state and county and also for townships, cities, and towns in the county, as shown on the tax duplicate delivered to him by the auditor.⁷ He sells real estate and personal property at public auction to satisfy delinquent taxes.⁸ He also collects corporate taxes,⁹ inheritance taxes,¹⁰ and the excise tax on shares of stock and deposits of banks, trust companies,¹¹ and loan associations;¹² and sells intangible tax stamps for the state board of tax commissioners.¹³

All public funds paid into the county treasury must be deposited by the treasurer daily in one or more depositories designated by the board of finance. The treasurer makes monthly reports to the board of finance showing the balance of funds at the end of the previous month, consistent with the statements furnished by the depository to the board;¹⁴ makes quarterly reports to the board of commissioners showing the amount of money in the county treasury;¹⁵ makes monthly reports to the auditor showing the total amount of cash payments received by him during the month and the respective accounts on which they were applied;¹⁶ makes semiannual settlements for taxes with the county auditor in May and November,¹⁷ and in accordance therewith pays to the state treasurer in June and December all money due for state purposes;¹⁸ and also makes payments to the state treasurer at other times.¹⁹ He makes quarterly reports to the auditor showing specifically the amount of fees collected;²⁰ and deposits quarterly with the auditor all redeemed warrants.²¹ The treasurer is ex officio a member of the board of review.²²

The treasurer must keep his office, books, and papers in a fireproof building (if available) at the county seat; and his office must be open

⁶ Acts 1899, 1935; Burns, 1938 suppl., 26-522; Baldwin, 1935 suppl., 5386. 1 Rev. Stat. 1852; Burns 49-3103, 49-3111; Baldwin 5550, 5558. Acts 1937; Burns, 1938 suppl., 61-627; Baldwin, 1937 suppl., 1884-48.

⁷ Acts 1905; Burns 48-6701, 48-6702, 48-6705; Baldwin 11511 to 11513. Acts 1919; Burns 64-1408; Baldwin 15745. Acts 1919; Burns 64-1502; Baldwin 15748.

⁸ Acts 1932 (Spec. Sess.); Burns 64-1509, 64-1511; Baldwin 15752, 15754. Acts 1919, 1931; Burns 64-1701 to 64-1705, 64-2201, 64-2203 to 64-2211; Baldwin 15778 to 15782, 15806, 15808 to 15818. Acts 1919, 1931, 1937; Burns, 1938 suppl., 64-2202; Baldwin, 1937 suppl., 15807.

⁹ Acts 1919; Burns 64-1801; Baldwin 15783.

¹⁰ Acts 1931; Burns 6-2413; Baldwin 15951.

¹¹ Acts 1933; Burns 64-804; Baldwin 15585.

¹² Acts 1933; Burns 64-827; Baldwin 15608.

¹³ Acts 1933; Burns 64-927; Baldwin 15925.

¹⁴ Acts 1937; Burns, 1938 suppl., 61-624; Baldwin, 1937 suppl., 13844-45.

¹⁵ Acts 1895, 1913; Burns 49-1403; Baldwin 7578.

¹⁶ Acts 1919; Burns 64-2101; Baldwin 15802.

¹⁷ Acts 1919; Burns 64-2501; Baldwin 15850.

¹⁸ Acts 1919; Burns 64-2503, 64-2504; Baldwin 15852, 15853.

¹⁹ Acts 1859, 1861; Burns 49-1813; Baldwin 15059. Acts 1937; Burns, 1938 suppl., 61-626; Baldwin, 1937 suppl., 13844-47.

²⁰ Acts 1895, 1903, 1913; Burns 49-1402; Baldwin 7577.

²¹ 1 Rev. Stat. 1852; Burns 49-3114; Baldwin 5516.

²² Acts 1919, 1920 (Spec. Sess.); Burns 64-1201; Baldwin 15700.

for transaction of business during business hours.²³ He must keep a cashbook wherein there is entered daily, by item, all receipts of public funds. The book must be balanced daily, show funds on hand at the close of each day, and be open to public inspection.²⁴ He keeps records of all receipts and disbursements in a general account, and also in separate accounts for the separate appropriations and distinct funds.²⁵

TAX COLLECTIONS

PERSONAL AND REAL PROPERTY

226. TAX DUPLICATES, 1843—. 731 vols.

Record of all taxes payable compiled annually by auditor, showing names of taxpayer and taxing unit, location, description and assessed valuation of property, and amounts of real and personal property and poll tax, special assessments, exemptions and delinquencies. Arr. by taxing units, thereunder alph. by names of taxpayers. No index. Hdw. 403 pp. 18 x 25 x 2½. 659 vols., 1843-1929, bsmt. rec. rm. 3; 64 vols., 1930-37, treas. vt.; 8 vols., 1938—, treas. off.

227. TREASURER'S CASH BOOK, 1881—. 54 vols.

Record of tax payments received by treasurer, showing date and amount of payment, names of taxpayer and taxing unit, and duplicate number. Arr. chron. by dates of payments. No index. Hdw. 500 pp. 18 x 12 x 2. 47 vols., 1881-1929, bsmt. rec. rm. 3; 7 vols., 1930—, treas. off.

228. DUPLICATE TAX RECEIPT, 1922—. 731 vols., 23 cartons.

Duplicates of receipts given for payment of taxes, showing date and amount of payment, names of taxpayer and taxing unit, receipt and tax duplicate numbers, and description of property. Arr. by taxing units, thereunder alph. by names of taxpayers. No index. 1922-30, hdw.; 1931—, typed. Vols., 125 pp. 19½ x 14½ x 1; cartons, 12 x 18 x 24. 731 vols., 1922-30, bsmt. rec. rm. 3; 21 cartons, 1931-35, bsmt. rec. rm. 2; 2 cartons, 1936—, treas. off.

229. ROAD RECEIPTS, 1875-80. 4 file boxes.

Receipts issued to individuals working out their tax assessments, showing date and amount of receipt, and names of road worker, supervisor, township and road district. Arr. chron. by dates of receipts. No index. Hdw. 11 x 5 x 14. Bsmt. vt.

INHERITANCE TAX

(See also entry 149)

230. INHERITANCE TAX RECORD, 1914—. 4 vols.

Stubs and copies of receipts issued for payment of inheritance taxes, showing dates of decedent's death and receipt, names of decedent, payer and legatee, title of payer, relationship of legatee, amounts of bequest, tax, total tax, interest or discount and payment, and cause and receipt numbers. Arr. numerically by receipt nos. No index. Hdw. 500 pp. 8 x 14 x ½. Treas. off.

²³ 1 Rev. Stat. 1852; Burns 49-3106; Baldwin 5553. Acts 1853; Burns 49-3107, 49-3108; Baldwin 5556, 5557.

²⁴ Acts 1937; Burns, 1938 suppl., 61-623; Baldwin, 1937 suppl., 13844-44.

²⁵ 1 Rev. Stat. 1852; Burns 49-3109; Baldwin 5554.

INTANGIBLE TAX

(See also entry 269)

231. INTANGIBLE TAX RECORD, 1933—. 1 file box.

Copies of treasurer's monthly reports to state treasurer of intangible tax stamp sales, showing dates of report and consignment, inventory by denominations of stamps on hand at beginning and end of period, received and sold, total values of stamps received and sold, and consignment number. Arr. chron. by dates of reports. No index. Typed. 11 x 5 x 14. Treas. off.

PUBLIC IMPROVEMENTS

(See also entries 17-24)

232. DITCH DUPLICATE, 1905—. 18 vols.

Register of assessments against property owners for construction and maintenance of ditches, showing dates and amounts of assessment and payment, names of property owner, ditch and taxing unit, and location and description of property. Arr. by names of ditches, thereunder by names of taxing units, thereunder alph. by names of property owners. No index. Hdw. 500 pp. 18 x 12 x 2. 15 vols., 1905-24, bsmt. rec. rm. 3; 3 vols., 1925—, treas. off.

For other ditch records, see entries 21-24, 95, 350.

DELINQUENTS

233. MORATORIUM TAX DUPLICATE, 1933—. 3 vols. (1-3).

Record of collections of delinquent taxes on deferred payment plan, showing dates of moratorium and payment, names of taxpayer and taxing unit, amounts of delinquent tax, semi-annual interest and principal installment and payment, duplicate number, and location and description of property. Arr. by names of taxing units, thereunder alph. by names of taxpayers. No index. Typed. 225 pp. 18 x 14½ x 1½. Treas. off.

234. INSOLVENT RECORD, 1881-1909, 1916-20. 5 vols. (1-4, and 1 vol. not numbered).

Record of taxes removed from tax duplicates, showing dates of delinquency and removal, names of taxpayer and taxing unit, amount of tax removed, number of polls, duplicate number, location and description of property, and reason for removal. Arr. by years, thereunder alph. by names of taxpayers. No index. Hdw. 400 pp. 18 x 14 x 2. Bsmt. vt.

235. RECORD OF DELINQUENT TAXPAYERS, 1834-92. 12 vols.

Register of delinquent taxpayers of city of La Porte, showing years of assessment, name of taxpayer, amounts of delinquent tax, penalty and interest, and location and description of property. Arr. alph. by names of taxpayers. No index. Hdw. 400 pp. 18 x 14 x 2. 4 vols., 1834-69, bsmt. vt.; 8 vols., 1870-92, bsmt. rec. rm. 3.

RECEIPTS AND DISBURSEMENTS

GENERAL FUND

236. DAILY BALANCE BOOK, 1908—. 26 vols.

Record of daily cash and depository balances, showing date of balance, name, address and type of depository, amounts of prior and current

cash and depository balances, cash receipts and disbursements, depository deposits, and withdrawals, source and nature of receipt, nature of disbursement, and total receipts, disbursements, deposits and withdrawals. Arr. chron. by dates of balances. No index. Hdw. 320 pp. 18 x 12 x 2. 18 vols., 1908-31, bsmt. rec. rm. 3; 8 vols., 1932—, treas. vt.

237. MONTHLY BALANCE RECORD, 1848—. 8 vols. Title varies: 1848-1911, Treasurer's Ledger.

Record of monthly balances of all county revenue and miscellaneous funds, showing date of balance, name of fund, account number, amounts of prior, current and total receipts and disbursements, and balance or overdraft for each fund and for all funds. Arr. chron. by dates of balances. No index. Hdw. 120 pp. 18 x 17 x 1. 7 vols., 1848-1930, bsmt. rec. rm. 3; 1 vol., 1931—, treas. off.

238. REGISTER OF WARRANTS AND DEPOSITORY BALANCES, 1916—. 4 vols. (1-4).

Register of warrants drawn on depositories and depository balances, showing dates of warrant and redemption, names of depository and fund, amounts of warrant and deposit, warrant number, total deposits and disbursements, and balance or overdraft. Arr. by names of depositories, thereunder chron. by dates of warrants. No index. Hdw. 500 pp. 18 x 12 x 2. 1 vol., 1916-Aug. 1, 1926, bsmt. rec. rm. 3; 3 vols., Aug. 2, 1926—, treas. vt.

239. REGISTER OF WARRANTS BY DEPOSITORIES, 1911—. 11 vols.

Title varies: 1911-25, Register of Warrants Redeemed.

Register of warrants issued by treasurer for disbursement of county revenue, showing date, amount and number of warrant, and names of payee and depository. Arr. numerically by warrant nos. No index. Hdw. 318 pp. 17 x 16 x 2. 8 vols., 1911-Mar. 1929, bsmt. rec. rm. 3; 3 vols., Apr. 1929—, treas. vt.

240. TREASURER'S JOURNAL, 1848—. 13 vols.

Daily record of receipts and disbursements of county revenue, showing date and amount of receipt or disbursement, names of payer or payee and fund, and receipt or order number. Arr. chron. by dates of receipts and disbursements. No index. Hdw. 640 pp. 18 x 12 x 2. 8 vols., 1848-1915, bsmt. rec. rm. 3; 5 vols., 1916—, treas. off.

241. SWAMP LAND RECEIPTS, 1853-83. 2 vols.

Register of receipts from sales of swamp lands, showing date, amount and nature of receipt, name of purchaser, number of acres, description of land, and receipt number. Arr. chron. by dates of receipts. No index. Hdw. 476 pp. 10½ x 9½ x 1½. Bsmt. rec. rm. 3.

242. WARRANTS [Applications to Pay], 1874—. 16 bdls., 8 file boxes, 47 cartons. Title varies: 16 bdls., 8 file boxes, 1874-Nov. 21, 1902, County Orders.

Auditor's orders to treasurer to disburse county funds and authorizations to receive payments due county, showing dates and amounts of warrant and receipt, names of payee, payer and fund, warrant number, and nature of receipt and disbursement. Arr. chron. by dates of warrants and receipts. No index. 1874-1923, hdw.; 1924—, typed. Bdls., 4 x 10 x 12; file boxes, 11 x 5 x 14; cartons, 4 x 12 x 28. 16 bdls., 1874-

June 6, 1887, bsmt. rec. rm. 1; 8 file boxes, June 11, 1887-Nov. 21, 1902, bsmt. vt.; 42 cartons, Nov. 22, 1902-35, bsmt. rec. rm. 4; 5 cartons, 1936—, treas. off.

SCHOOL FUND

(See also entries 282-89)

243. SCHOOL FUND LEDGER, 1846-1906. 3 vols. (2, C, D).

Record of monthly balances of school and trust fund loan receipts and disbursements, showing date of balance, name of fund, amounts of receipts and disbursements, and volume and page reference to School Fund Journal, entry 244. Arr. chron. by dates of balances. No index. Hdw. 400 pp. 18 x 12 x 2. Bsmt. rec. rm. 3.

For subsequent records, see entry 237.

244. SCHOOL FUND JOURNAL, 1847-1912. 4 vols. (2, 3, and 2 vols. not numbered).

Daily record of receipts and disbursements of school and trust fund loans, showing dates and amounts of receipt and disbursement, names of payer, payee and fund, and receipt and order numbers. Arr. chron. by dates of receipts and disbursements. No index. Hdw. 400 pp. 18 x 12 x 2. Bsmt. rec. rm. 3.

For subsequent records, see entry 240.

245. REGISTER OF RECEIPTS [School and Trust Funds], 1850-1912. 4 vols.

Record of school and trust fund payments received by treasurer, showing date and amount of receipt, name of fund, and source of receipt. Arr. chron. by dates of receipts. No index. Hdw. 210 pp. 16 x 12 x 2. Bsmt. rec. rm. 3.

For subsequent records, see entry 240.

XVI. AUDITOR

The auditor is a constitutional officer, elected for a four-year term by the voters of the county. No person is eligible to hold such office more than eight years in any period of twelve years.¹ He is required to post bond in the amount of \$10,000 approved by and filed with the board of commissioners.²

The office of auditor was first established in La Porte County in 1841, under the authority of an act of that year. Until the adoption of the Constitution of 1851, the auditor was a statutory officer elected by the voters of the county for a five-year term.³ The creation of this office was designed to relieve clerks of the circuit court of duties concerning the receipt and disbursement of county funds and other duties.⁴

The auditor is the financial agent of the county; and the routine administration of county affairs centers in his office, through which all financial transactions are conducted.

¹ Const., art. 6, sec. 2. 1 Rev. Stat. 1852; Burns 49-3001; Baldwin 5415.

² Acts 1889; Burns 49-3003; Baldwin 5417.

³ Acts 1840-41 (general), ch. 2, sec. 1.

⁴ *Ibid.*, secs. 8, 53, 54.

The auditor keeps the accounts of the county and issues warrants for all claims allowed by the board of commissioners or courts⁵ or otherwise as statutes provide.⁶ He is ex officio clerk of the board of commissioners,⁷ the county council,⁸ and the board of tax adjustment,⁹ and is ex officio secretary of the board of finance.¹⁰ He is also a member and secretary of the board of review,¹¹ and a member of the school fund board.¹² He compiles budget estimates made by the county officers and boards; keeps them on file for one month, subject to inspection by any taxpayer; and submits them with his recommendations to the county council at its annual meeting.¹³ He prepares the official tax duplicates and abstracts,¹⁴ and certifies to the treasurer the amount of taxes due from banks.¹⁵ If the board of tax adjustment fails to complete its duties on time or to reduce the rate to the legal maximum, he fixes the tax rate within any municipal corporation in the county.¹⁶

The auditor manages the common school and the congressional township school funds, with the exception of making loans;¹⁷ prepares the ditch duplicate showing assessments for construction or repair of ditches and drains;¹⁸ issues licenses to peddlers, shows, and theaters,¹⁹ and permits for public warehouses;²⁰ and approves the official bonds of township trustees.²¹

The auditor keeps records of all financial transactions of his office in fee books, cashbooks,²² and warrant books,²³ and in such separate books as are prescribed by statute. He is required to keep separate accounts for each specific item of appropriation by the county council²⁴ and an accurate account current, with the treasurer, of county funds.²⁵ He also keeps, for taxation purposes, a transfer book, arranged by townships, cities, and towns, of all land conveyances in the county.²⁶ He keeps the records of all of the boards of which he is clerk or secretary

⁵ Acts 1897; Burns 26-809; Baldwin 5257.

⁶ 1 Rev. Stat. 1852; Burns 49-3005; Baldwin 5419.

⁷ 1 Rev. Stat. 1852; Burns 49-3004; Baldwin 5418.

⁸ Acts 1899; Burns 26-509; Baldwin 5373.

⁹ Acts 1937; Burns, 1938 suppl., 64-310; Baldwin, 1937 suppl., 15897-4.

¹⁰ Acts 1937; Burns, 1938 suppl., 61-629; Baldwin, 1937 suppl., 13844-50.

¹¹ Acts 1919, 1920 (Spec. Sess.); Burns 64-1201; Baldwin 15700.

¹² Acts 1865, 1935; Burns, 1938 suppl., 28-209; Baldwin, 1937 suppl., 6558.

¹³ Acts 1899; Burns 26-520; Baldwin 5384.

¹⁴ Acts 1919; Burns 64-1403, 64-1408; Baldwin 15740.

¹⁵ Acts 1933; Burns 64-810; Baldwin 15591.

¹⁶ Acts 1937; Burns, 1938 suppl., 64-314; Baldwin, 1937 suppl., 15897-8.

¹⁷ Acts 1865; Burns 28-105; Baldwin 6511. Acts 1865, 1935; Burns 1938 suppl., 28-209; Baldwin, 1935 suppl., 6558.

¹⁸ Acts 1933; Burns 27-134; Baldwin 5770.

¹⁹ 1 Rev. Stat. 1852; Burns 42-204; Baldwin 10447. Acts 1917, 1937; Burns, 1938 suppl., 42-201; Baldwin, 1937 suppl., 10443.

²⁰ Acts 1875, 1879 (Spec. Sess.); Burns 67-201; Baldwin 16206.

²¹ Acts 1915; Burns 65-103; Baldwin 16061.

²² Acts 1895; Burns 49-1401; Baldwin 7576.

²³ 1 Rev. Stat. 1852; Burns 49-3005; Baldwin 5419.

²⁴ Acts 1899; Burns 26-523; Baldwin 5387.

²⁵ 1 Rev. Stat. 1852; Burns 49-3010; Baldwin 5423.

²⁶ Acts 1919; Burns 64-1409; Baldwin 15746.

and must preserve the documents, books, papers, and maps deposited in his office.²⁷

The auditor's office must be kept at the county seat, open for the transaction of business at all times during business hours.²⁸

AUDITS AND REPORTS

246. STATE BOARD OF ACCOUNTS, 1903—. 5 file boxes.

Copies of reports of audits of various county offices by state board of accounts field examiners, showing dates of report, report period and filing, names of office and examiners, condition of accounts, and recommendations made. Arr. chron. by dates of reports. No index. Typed. 11 x 5 x 14. 3 file boxes, 1903-Nov. 3, 1931, aud. vt.; 2 file boxes, Nov. 4, 1931—, aud. off.

247. OFFICERS REPORT OF FEES COLLECTED, 1903—. 5 file boxes.

Reports to auditor of fees collected by various county officers, showing dates of report and filing, names of payer and officer, and nature and amount of fees. Arr. chron. by dates of filing. No index. Hdw. 11 x 5 x 14. 4 file boxes, 1903-36, aud. vt.; 1 file box, 1937—, aud. off.

248. DOG FUNDS, 1914—. 4 file boxes.

Trustees' reports to auditor of dog tax collections received from assessors, showing date of filing, names of trustee and assessor, itemized account of collections, and total collections. Arr. chron. by dates of filing. No index. Hdw. 11 x 5 x 14. 2 file boxes, 1914-19, aud. vt.; 2 file boxes, 1920—aud. off.

249. TRUSTEES' ANNUAL REPORT TO ADVISORY BOARD, 1915—. 22 vols.

Trustees annual report of receipts and disbursements, showing date of report, amounts of receipts and disbursements, names of payer and payee, and balance or overdraft. Arr. chron. by dates of reports. No index. 50 pp. 11 x 5 x ½. 20 vols., 1915-34, bsmt. vt.; 2 vols., 1935—, aud. off.

250. SCHOOL REPORTS [Warrants], 1923—. 23 bdls.

Cancelled warrants drawn by school trustees for various expenses, showing date, number, amount and purpose of warrant, and names of town and payee. Arr. numerically by warrant nos. No index. Hdw. 6 x 12 x 18. Bsmt. rec. rm. 1.

RECEIPTS AND DISBURSEMENTS

251. AUDITORS MONTHLY BALANCE RECORD, 1912—. 3 vols.

Record of monthly balances of county funds, showing date of statement, name and number of fund, amounts of prior balance and current and total receipts and disbursements, and balance carried forward. Arr. chron. by dates of statements. No index. Hdw. 117 pp. 18 x 16 x ½. 2 vols., 1912-30, bsmt. vt.; 1 vol., 1931—, aud. off.

²⁷ 1 Rev. Stat. 1852; Burns 49-3004; Baldwin 5418.

²⁸ 1 Rev. Stat. 1852; Burns 49-3002; Baldwin 5416.

252. AUDITORS GENERAL LEDGER SHEETS, 1833—. 11 vols. Title varies: 1833-1926, County Ledger.

Record of appropriations, receipts and disbursements of county funds, showing dates and amounts of appropriation, receipt or disbursement, name of fund and balance or overdraft. Arr. by names of funds, thereunder by dates of receipt and disbursements. No index. Hdw. 200 pp. 18 x 12 x 2½. 6 vols., 1833-1926, bsmt. vt.; 3 vols., 1927-36, aud. vt.; 2 vols., 1937—, aud. off.

253. SETTLEMENT SHEETS, 1903—. 3 cartons, 1 file drawer.

Semiannual settlement sheets of distribution of county and state taxes, showing date of settlement, current year collections, former delinquencies, amount of polls, amounts distributed to various funds, and amount due from state treasurer. Arr. chron. by dates of settlements. No index. Hdw. Cartons, 18 x 24 x 24; file drawer, 12 x 18 x 24. 3 cartons, 1903-34, bsmt. rec. rm. 1; 1 file drawer, 1935—, aud. off.

254. AUDITOR'S FEE AND CASH BOOK, 1871-82, 1894—. 14 vols.

Record of fee and cash payments received, showing date, amount and nature of payment, name of payer, and total payments. Arr. chron. by dates of payment. No index. Hdw. 250 pp. 18 x 12 x 1½. 9 vols., 1871-82, 1894-Sept. 1922, bsmt. vt.; 4 vols., Oct. 1922-July 26, 1937, aud. vt.; 1 vol., July 27, 1937—, aud. off.

255. COUNTY JOURNAL, 1833-1930. 13 vols. (3 vols. not labeled, C-L).

Daily record of receipts and disbursements of county funds, showing date and amount of receipt or disbursement, names of payer or payee and fund, and receipts and warrant numbers. Arr. chron. by dates of receipts and disbursements. No index. Hdw. 500 pp. 18 x 12 x 2. Bsmt. vt.

For subsequent records, see entry 252.

256. COURT ALLOWANCES, 1897—. 17 file boxes.

Court orders allowing claims for services rendered the court, showing dates of filing and service, dates and amounts of claim and allowance, names of court and claimant, and nature of claim. Arr. chron. by dates of filing. No index. Hdw. 11 x 5 x 14. 14 file boxes, 1897-1932, aud. vt.; 3 file boxes, 1933—, aud. off.

For other court allowances, see entries 161, 257.

257. JUVENILE COURT ALLOWANCE, 1908—. 2 file boxes.

Court orders allowing claims for fees and expenses in juvenile actions, showing dates of filing and action, names of defendant and claimant, cause number, and amount and nature of allowance. Arr. chron. by dates of filing. No index. Typed. 11 x 5 x 14. 1 file box, 1908-25, aud. vt.; 1 file box, 1926—, aud. off.

For other juvenile records, see entry 151; for other court allowances, see entries 161, 256.

258. AUDITORS VENUE RECORD, 1933—. 1 vol.

Record of receipts and disbursements of costs of causes venued to and from foreign counties, showing date and amount of receipt or disbursement, names of court and foreign county, and cause number. Arr. by names of foreign counties. No index. Hdw. 200 pp. 14 x 12 x 1. Aud. off.

For other change of venue records, see entries 152, 259.

259. CHANGE OF VENUE, 1921—. 2 file boxes.

Statements of costs of causes venued to foreign counties, showing dates of judgment, statement and filing, names of plaintiff, defendant, trial judge, foreign county and jurors, cause number, amount of costs, and date of payment. Arr. chron. by dates of filing. No index. Typed. 11 x 5 x 14. 1 file box, 1921-June 1934, aud. vt.; 1 file box, July 1934—, aud. off.

For other change of venue records, see entries 152, 258.

260. REGISTER OF WARRANTS PAID, 1933—. 15 vols.

Carbon copies of warrants issued by auditor to treasurer for disbursement of county revenue, showing date, number, amount and purpose of warrant, name of payee, and claim and appropriation numbers. Arr. numerically by warrant nos. No index. 500 pp. 18 x 12 x 4. 14 vols., 1933-38, aud. vt.; 1 vol., 1939—, aud. off.

For prior records, see entry 261.

261. REGISTER OF WARRANTS, 1850-1932. 21 vols. (7 vols. not numbered, 2-15). Title varies: 1850-1911, Register of County Orders.

Record of warrants issued by auditor to treasurer for disbursement of county revenue, showing date, amount, number and purpose of warrant, name of payee, and claim and appropriation numbers. Arr. numerically by warrant nos. No index. Hdw. 320 pp. 17 x 12 x 2. Bsm. vt.

For subsequent records, see entry 260.

262. WELFARE WARRANTS, 1936—. 5 vols.

Duplicates of warrants drawn on welfare fund for assistance to the aged and to dependent children, showing date, amount and number of warrant, names of payee and fund, and application number. Arr. chron. by dates of warrants. No index. Typed, 800 pp. 17 x 12 x 4. Aud. vt.

For other old-age assistance records, see entries 82, 326-32, 344.

263. COUNTY WELFARE CLAIMS, 1936—. 3 file boxes.

Original claims for administrative expenses of county department of public welfare and for dependent children and old-age assistance allowances, showing dates of claim, filing and allowance, name of claimant, amounts and numbers of claim and warrant, and itemized statement of claim. Arr. chron. by dates of filing. No index. Hdw. and typed. 11 x 5 x 14. Aud. off.

For other welfare claims, see entry 344.

264. APPLICATIONS TO PAY, 1900—. 12 vols.

Stubs of auditor's orders to treasurer to receive payment of various amounts due county, showing date, amount and number of order, name of payer, and nature of payment. Arr. numerically by order nos. No index. Hdw. 250 pp. 14 x 11 x 1. 9 vols., 1900-1924, bsm. rec. rm.; 3 vols., 1925—, aud. vt.

265. RECEIPTS [FEES], 1923—. 4 file boxes.

Treasurer's receipts for payment of fees filed with auditor to obtain quietuses, showing date, amount and number of receipt, name of payer, and nature of payment. Arr. numerically by receipt nos. No index. Hdw. 11 x 5 x 14. 2 file boxes, 1923-32, aud. vt.; 2 file boxes, 1933—, aud. off.

266. REGISTER OF DUPLICATE RECEIPTS, 1900—. 12 vols.

Title varies: 9 vols., 1900-1924, Auditors Quietus. Stubs and triplicate copies of quietuses issued by auditor in exchange for treasurer's receipts, showing date, amount and number of quietus, names of payer and fund, and nature of payment. Arr. numerically by quietus nos. No index. 1900-1923, hdw.; 1924—, typed. 325 pp. 16 x 11 x 1. 9 vols., 1900-1923, bsmt. rec. rm. 1; 1 vol., 1924-Dec. 30, 1927, bsmt. vt.; 2 vols., Dec. 31, 1927—, aud. off.

267. REGISTER OF RECEIPTS, 1884-1931. 3 vols. Discontinued.

Record of treasurer's receipts for which auditor's quietuses have been issued, showing date, amount and number of receipt, name of payer, and nature of payment. Arr. numerically by receipt nos. No index. Hdw. 335 pp. 18 x 12 x 2. Bsmt. vt.

TAXES

APPRAISEMENTS

268. AUDITOR'S TRANSFER RECORDS, 1837—. 148 vols.

Record of transfers of ownership of real estate, showing dates of deed and transfer, names of grantor and grantee, transfer number, location and description of property, and amount of transfer fee. Arr. numerically by transfer nos. No index. Hdw. 500 pp. 18 x 12 x 2. 138 vols., 1837-1936, aud. vt.; 10 vols., 1937—, aud. off.

RETURNS

269. TAX REPORTS, INTANGIBLE TAX BUILDING AND LOAN ASSOCIATIONS AND BANK EXCISE, 1933—. 5 file boxes.

Monthly reports of banks and building and loan associations of capital, surplus, undivided profits and deposits for purpose of determining tax assessments, showing dates of report and filing, name and address of bank or association, financial statement, total amount of assets subject to tax, and amount of tax levy. Arr. chron. by dates of filing. No index. Typed. 11 x 5 x 14. 4 file boxes, 1933-36, aud. vt.; 1 file box, 1937—, aud. off.

For other intangible tax records, see entry 231.

270. RAILROADS, 1873-93, 1922—. 1 bdl., 6 file boxes.

Affidavits of valuation of personal and real property of railroads in county filed with auditor for tax assessment purposes, showing dates of affidavit and filing, name of railroad, and location, description and valuation of property. Arr. chron. by dates of filing. No index. 1873-93, hdw.; 1922—, typed. Bdl., 4 x 10 x 12; file boxes, 11 x 5 x 14. 1 bdl., 1873-91, bsmt. rec. rm. 1; 1 file box, 1892-93, bsmt. vt.; 5 file boxes, 1922—, aud. off.

ASSESSMENT LISTS

271. ASSESSOR'S BOOKS OF ASSESSMENTS, 1920—. 552 vols.

Record of valuation of all taxable property in county, showing names of owner and taxing unit, location and description of property, valuations of personal and real property and improvements, total valuation of all taxables, and amount of mortgage or soldier's exemption. Arr. alph. by names of property owners. No index. Typed. 75 pp. 17 x 12 x ½.

425 vols., 1920-35, bsmt. rec. rm. 1; 127 vols., 1936—, assr. off.

272. ASSESSOR'S REAL ESTATE ASSESSMENT SCHEDULE, 1916—. 245 vols. Title varies: Real Estate Assessments and Additional Improvements Schedule.

Assessment lists of real property, showing date of assessment, name of owner, location, description and valuation of real estate and improvements, and total assessed valuation. Arr. by taxing units, thereunder alph. by names of property owners. No index. Hdw. 286 pp. 14 x 9 x 1½. 137 vols., 1916-28, bsmt. rec. rm. 3; 41 vols., 1932, bsmt. rec. rm. 2; 67 vols., 1936—, assr. off.

273. ASSESSOR'S PERSONAL PROPERTY ASSESSMENT SCHEDULE, 1923—. 1772 vols.

Schedules of assessments of personal property and poll tax, showing date of assessment, name and address of property owner, name of taxing unit, itemized list of personal property, valuations by property owner and township and county assessors, and poll tax and total assessments. Arr. by taxing units, therunder alph. by names of property owners. No index. Hdw. 145 pp. 14 x 9 x 1. 1046 vols., 1923-33, bsmt. rec. rm. 3; 274 vols., 1934-35, bsmt. rec. rm. 2; 452 vols., 1936—, assr. off.

EXEMPTIONS

274. MORTGAGE AFFIDAVITS, 1925—. 488 vols.

Affidavits of mortgage indebtedness and veterans', nurses' and veterans' widows' affidavits executed to secure assessment exemptions, showing date of affidavit, name, address, age and service record of affiant, names of mortgagee and taxing unit, amount of mortgage unpaid or exemption claimed, location, description and assessed valuation of property, and pension certificate or compensation award number. Arr. by taxing units, therunder alph. by names of affiants. Hdw. 50 pp. 8½ x 11 x ½. 228 vols., 1925-34, bsmt. rec. rm. 2; 54 vols., 1935, bsmt. vt.; 206 vols., 1936—, aud. off.

275. MORTGAGE EXEMPTIONS, 1917—. 4 file boxes.

Affidavits of mortgage indebtedness filed to secure exemption on assessment valuation, showing dates of affidavit and filing, names of mortgagor and mortgagee, location and description of property, amounts of mortgage and exemption, and volume and page reference to Mortgage Record, entry 70. Arr. chron. by dates of filing. No index. Hdw. 11 x 5 x 14. Aud. vt.

276. FORESTRY RESERVE [Reports], 1901—. Last entry 1904. 1 file box.

Affidavits executed by property owners setting aside lands as permanent forest reservations to secure tax reductions, showing date of affidavit, name of property owner, and location and description of property. Arr. chron. by dates of affidavits. No index. Hdw. 11 x 5 x 14. Aud. vt.

DELINQUENTS AND ERRONEOUS

277. RECORD OF TAX SALES, 1834—. 18 vols.

Record of property sold for nonpayment of taxes, showing date and amount of sale, names of owner and purchaser, and location and descrip-

tion of property. Arr. by taxing units, thereunder by property owners. Hdw. 300 pp. 18 x 12 x 2. 12 vols., 1834-91, bsmt, vt.; 6 vols., 1892—, aud. off.

For tax title deeds, see entry 63.

278. ABSTRACT OF TAX SALES, 1844—. 3 vols.

Record of redemption of property sold for nonpayment of taxes, showing dates of sale and redemption, names of owner and purchaser, amount of redemption, and location and description of property. Arr. chron. by dates of redemption. No index. Hdw. 400 pp. 18 x 12 x 2. Aud. off.

279. TAX SALE CERTIFICATES, 1842-1906, 1921—. 12 file boxes, 3 bdls.

Original certificates of sale of property sold for nonpayment of taxes, showing date and amount of sale, dates of certificate and filing, names of owner and purchaser, location and description of property, certificate number, and treasurer's affidavit that taxes have not been paid. Arr. chron. by dates of filing. No index. Hdw. File boxes, 11 x 5 x 12; bdls., 4 x 8 x 10. 9 file boxes, 1842-99, bsmt. vt.; 3 bdls., 1900-1906, bsmt. rec. rm. 1; 2 file boxes, 1921-31, aud. vt.; 1 file box, 1932—, aud. off.

280. TRANSFERS OF TAX SALE CERTIFICATES, 1844—. 2 vols.

Record of assignments of tax sale certificates, showing date of assignment, names of assignor and assignee, certificate number, and volume and page reference to Record of Tax Sales, entry 277. Arr. chron. by dates of assignments. Indexed alph. by names of assignee. Hdw. 584 pp. 16 x 12 x 2. Aud. off.

281. ERRONEOUS CERTIFICATES, 1906—. 9 vols.

Copies of auditor's certificates to treasurer to correct errors in tax assessments improperly charged on tax duplicates, showing date of certificate, names of taxpayer and taxing unit, certificate and tax duplicate numbers, and amount and nature of error. Arr. numerically by certificate nos. No index. Hdw. 125 pp. 14 x 11 x 1. 8 vols., 1906-May 23, 1935, bsmt. rec. rm. 1; 1 vol., May 24, 1935—, aud. off.

SCHOOL FUNDS

(See also entries 243-45)

282. INVENTORY OF LOANS OF SCHOOL FUNDS, 1889—. 1 vol.

Inventory of school and trust fund loans, showing date of inventory, date, original amount and number of loan, amounts of interest and principal paid and outstanding, amount of loan represented by forfeited lands, and total amount of loans outstanding. Arr. numerically by loan nos. No index. Hdw. 240 pp. 16 x 17 x 1. Aud. vt.

283. RECORD OF LOANS OF SCHOOL TRUST FUNDS, 1841—. 7 vols.
(3 vols. not numbered, 2-5).

Record of real estate mortgages executed as security for school trust fund loans, showing date, amount and conditions of mortgage, name of mortgagor, location and description of property, date and number of loan, dates and amounts of interest and principal payments, and date of release. Arr. numerically by loan nos. No index. Hdw. 550 pp. 18 x

12 x 2. 4 vols., 1841-Mar. 27, 1876, bsmt. vt.; 1 vol., Mar. 28, 1876-Feb. 8, 1910, aud. vt.; 2 vols., Feb. 9, 1910—, aud. off.

284. REGISTER OF SCHOOL FUND LOANS, 1869—. 4 vols.

Record of loans made from school funds, showing dates of loan, interest payment and maturity, names of mortgagor and fund, number and amount of loan, and location and description of property. Arr. numerically by loan nos. No index. Hdw. 640 pp. 18 x 12 x 2. 1 vol., 1869-98, bsmt. vt.; 1 vol., 1899-1932, aud. vt.; 2 vols., 1933—, aud. off.

285. DISTRIBUTION OF SCHOOL FUNDS, 1852-1932. 3 vols.

Record of distribution of school funds, showing date of distribution, amounts apportioned to various school units, name of school unit, and balance in fund. Arr. by school units, thereunder by dates of distribution. No index. Hdw. 300 pp. 16 x 12 x 1. Bsmt. vt.

For subsequent records, see entry 252.

286. SCHOOL FUND LEDGER, 1843-1907. 4 vols. (A-D).

Record of monthly balances of school trust fund receipts and disbursements, showing date of balance, name of fund, amount of receipt or disbursement, and page reference to School Fund Journal, entry 287. Arr. chron. by dates of balances. No index. Hdw. 500 pp. 18 x 12 x 2. Bsmt. vt.

For subsequent records, see entry 252.

287. SCHOOL FUND JOURNAL, 1838-75, 1891-1912. 12 vols.

Daily record of receipts and disbursements of school trust fund loans, showing date and amount of receipt or disbursement, names of payer and payee and fund, and receipt or order number. Arr. chron. by dates of receipts and disbursements. No index. Hdw. 415 pp. 20 x 12 x 1½. Bsmt. vt.

For subsequent records, see entry 252.

288. REGISTER OF WARRANTS, SCHOOL FUNDS, 1843-1912. 3 vols.
(1 vol. not numbered, 2, 3).

Register of auditor's warrants drawn on treasurer for disbursement of school and trust funds, showing date, amount and number of warrant, name of payee, and nature of disbursement. Arr. chron. by dates of warrants. No index. Hdw. 400 pp. 18 x 12 x 2. Bsmt. rec. rm. 3.

For subsequent records, see entry 261.

289. REGISTER OF RECEIPTS FOR TRUST FUNDS, 1843-1912. 5 vols.

Title varies: 1843-50, Register of Receipts of School Fund.

Register of trust fund interest and principal payments received by treasurer, showing date, amount, and nature of payment, name of payer, and loan, certificate and receipt numbers. Arr. numerically by receipt nos. Hdw. 260 pp. 17 x 11 x 2. Bsmt. vt.

For subsequent records, see entry 252.

OFFICIAL BONDS

(See also entries 28-35)

290. TOWNSHIP AND SCHOOL TRUSTEES' BONDS, 1859—. 5 vols.

Record of bonds posted by township and school trustees for faithful performance of duties, showing date, amount and conditions of bond, and names of trustee and sureties. Arr. chron. by dates of bonds. Indexed

alph. by names of trustees. Hdw. 378 pp. 16 x 11 x 1½. 4 vols., 1859-Aug. 1922, bsmt. vt.; 1 vol., 1880—, aud. off.

291. RECORD OF ASSESSORS' BONDS, 1866—. 2 vols.

Record of bonds posted by township assessors, showing date, amount and conditions of bond, and names of assessor and sureties. Arr. chron. by dates of bonds. Indexed alph. by names of assessors. Hdw. 275 pp. 16 x 12 x 1. Aud. off.

292. [OFFICIALS' BONDS], 1887—. 5 bdls., 3 file boxes.

Original bonds posted by township officials, showing date, amount and conditions of bond, and names of official and sureties. Arr. chron. by dates of bonds. No index. Bdls., 4 x 5 x 8, file boxes, 11 x 5 x 14. 5 bdls., 1887-1921, bsmt. rec. rm. 1; 1 file box, 1922-30, aud. vt.; 2 file boxes, 1931—, aud. off.

293. BOND RECORD OF SUPT. OF ROADS, 1882. 1 vol.

Record of bonds executed by road superintendents, showing date, amount and conditions of bond, and names of superintendent and sureties. Arr. chron. by dates of bonds. No index. Hdw. 500 pp. 18 x 12 x 2. Bsmt. vt.

MISCELLANEOUS

294. ASSESSORS' APPOINTMENTS AND REPORT, 1903—. 5 file boxes.

Notices of appointment of deputy assessors and original bonds posted by deputy assessors for faithful performance of duties, showing dates of instrument and filing, names of deputy and sureties, amount and conditions of bond, and conditions of appointment. Arr. chron. by dates of filing. No index. Hdw. 11 x 5 x 14. 1 file box, 1903-28, aud. vt.; 4 file boxes, 1929—, aud. off.

295. ENUMERATION RECORD, 1913—. 121 vols.

Sexennial enumeration of male inhabitants over 21 years of age, showing date of enumeration, register number, and name, address, age and color of male. Arr. alph. by names of males. No index. Hdw. 240 pp. 14 x 9 x 1. 94 vols., 1913-31, bsmt. rec. rm. 2; 27 vols., 1937—, aud. vt.

296. ELECTION OF COUNTY SUPERINTENDENT SCHOOLS, 1873—. 2 vols.

Record of elections of superintendent of schools by township trustees, showing date of election, names of candidates, successful candidate, trustees and auditor, and number of votes cast for each candidate. Arr. chron. by dates of elections. No index. Hdw. 152 pp. 13 x 8 x ½. Aud. off.

XVII. REGISTRATION OFFICER

The clerk of the circuit court serves, *ex officio*, as the registration officer of La Porte County by authority of an act of 1933.¹

The Constitution of 1851 prescribed the qualifications of voters² and an amendment of 1881 enjoined the general assembly to provide for the registration of all persons entitled to vote.³ Various laws for registration have been enacted: An act of 1867, establishing a township

¹ Acts 1933, 1935; Burns, 1938 suppl., 29-306; Baldwin, 1935 suppl., 7304.

² Const., art. 2, sec. 2.

³ *Ibid.*, sec. 14.

board of registry,⁴ was repealed in 1869;⁵ acts of 1889⁶ and 1891,⁷ providing for registration in the office of the clerk of the circuit court, were declared unconstitutional in 1890⁸ and 1896,⁹ respectively; an act of 1911, providing for a precinct registration board,¹⁰ was repealed in 1917.¹¹ An act of 1917, created a board of registration commissioners, generally called the registration board, and consisting of the clerk of the circuit court and two qualified electors appointed by him, one from each of the major political parties;¹² it was repealed in 1919,¹³ and the board was succeeded by precinct boards by an act of that year.¹⁴ An act of 1925 created a registration board, consisting of the auditor and a person of opposite political faith, appointed by him.¹⁵ In 1927, the 1919 act and all subsequent acts were repealed.¹⁶ Until the present system was established by an act of 1933 and amended in 1935,¹⁷ there was no registration system.

Registration of all voters is a requirement for voting at all general, primary, and special elections in which all qualified voters of the state may participate and must be made 29 days prior to general and primary elections.¹⁸ The registration officer has full charge and control of the registration of the voters and provides all the necessary books and supplies.¹⁹

The official registration books consist of the original affidavits of registration, fastened in binders,²⁰ and constitute a permanent registration record.²¹ Voters need not register again, so long as they continue to reside in the same county, however, failure to vote in any two-year period automatically cancels the elector's registration.²² If the registration books of any precinct are destroyed or mutilated, or are inaccessible, a reregistration is had upon determination by the board of commissioners of the county.²³

The expense of the preparation of registration is paid out of the general fund of the county treasury, authorized by the county commissioners, in the same manner as election expenses are paid and the ex-

⁴ Acts 1867, ch. 51, sec. 2.

⁵ Acts 1869 (Spec. Sess.), ch. 31, sec. 1.

⁶ Acts 1889, ch. 87, sec. 13.

⁷ Acts 1891, ch. 144, sec. 1.

⁸ 125 Ind. 281.

⁹ 144 Ind. 423.

¹⁰ Acts 1911, ch. 150, sec. 3.

¹¹ Acts 1917, ch. 139, sec. 47.

¹² *Ibid.*, sec. 4.

¹³ Acts 1919, ch. 150, sec. 1.

¹⁴ *Ibid.*, ch. 186, sec. 4.

¹⁵ Acts 1925, ch. 138, sec. 1.

¹⁶ Acts 1927, ch. 195, sec. 1.

¹⁷ Acts 1933, 1935; Burns, 1938 suppl., 29-306; Baldwin, 1935 suppl., 7304.

¹⁸ Acts 1933; Burns 29-301, 29-307; Baldwin 7299, 7305. Acts 1933, 1935; Burns, 1938 suppl., 29-336; Baldwin, 1935 suppl., 7334.

¹⁹ Acts 1933; Burns 29-309; Baldwin 7307.

²⁰ Acts 1933; Burns 29-313, 29-316; Baldwin 7311, 7314.

²¹ Acts 1933; Burns 29-302; Baldwin 7300.

²² Acts 1933; Burns 29-303, 29-320; Baldwin 7301, 7318.

²³ Acts 1933; Burns 29-304; Baldwin 7302.

penses of preparing lists of registered voters for use in city elections are paid by the city.²⁴

All forms, blanks, records, and other supplies used in the registration of voters are prescribed by the state board of election commissioners for the purpose of uniformity in the registration records of the state.²⁵

297. PERMANENT REGISTRATION RECORD, 1934—. 133 vols.

Original registration affidavits of voters, showing date of affidavit, name, age, sex, address and birthplace of voter, names of registration officer, witnesses and township, and registration, precinct and ward numbers. Arr. alph. by names of voters. No index. Hdw. 300 pp. 8 x 14 x 1½. Clk. off.

298. RECORD OF ABSENT VOTERS, 1918—. 2 vols.

Record of votes cast by absent voters, showing dates of election and issuance and receipt of ballot, name and address of voter, name of township, and ward and precinct numbers. Arr. by precinct nos., thereunder alph. by names of voters. No index. Hdw. 300 pp. 14 x 18 x 1. 1 vol., 1918-32, clk. vt.; 1 vol., 1933—, clk. off.

299. REGISTER OF INTENTION TO HOLD RESIDENCE, 1890-92. 1 vol.

Record of notices of intention to retain residence as legal voting place, issued by persons whose duties require their absence, showing date of notice, name, address and age of voter, and ward and precinct numbers. Arr. alph. by names of voters. No index. Hdw. 300 pp. 18 x 12 x 1½. Bsmnt. rec. rm. 1.

300. REGISTER OF NOTICE OF INTENTION TO BECOME AN ELECTOR, 1890-92. 1 vol.

Record of citizens' notices of intention to vote in coming elections, showing date of notice, name, address and age of voter, and ward and precinct numbers. Arr. alph. by names of voters. No index. Hdw. 500 pp. 11 x 17 x 1½. Clk. vt.

XVIII. BOARD OF PRIMARY ELECTION COMMISSIONERS

The board of primary election commissioners of La Porte County was established by acts of 1907¹ and 1915, and subsequent amendatory acts. The members are the clerk of the circuit court and two persons appointed by him, one from each of the major political parties, nominated by the respective chairmen of the county committees of the parties. The primary election commissioners serve as election commissioners at the election for which nominations by the primary are made.²

Prior to 1907, nominations had been strictly a party affair. At first, candidates were proposed by a mass meeting, or by an informed caucus which might be a meeting, either of all the voters of the party in the precinct (township) or of party members interested sufficiently to attend

²⁴ Acts 1933; Burns 29-305; Baldwin 7303.

²⁵ Acts 1933; Burns 29-334; Baldwin 7332.

¹ Acts 1907, ch. 282, secs. 1, 13.

² Acts 1915, 1917; Burns 29-504; Baldwin 7197.

(county and state). Out of the latter developed the party convention—an assembly of official delegates; these delegates were chosen by party officials such as precinct committeemen or county or district chairmen, as the case might be.³

Indiana was one of the first states to adopt the primary election as a means of choosing candidates. The law of 1889, which instituted the Australian ballot system, recognized the right of the party to hold a primary, which was under the control of the chairman who certified the names of the nominees to the county board of election commissioners.⁴

An act of 1901, mandatory upon all parties casting ten per cent of the total vote at the preceding general election, provided for the organization of political parties and the holding of two primary elections: One for precinct committeemen, and one for direct nomination of candidates or for election of delegates to a nominating convention. The precinct committeemen, elected at the first primary, determined whether the party candidates should be nominated at a primary election or by a delegate convention. If a primary election was decided upon, the party chairman fixed the date and turned over the names of candidates, proposed by petition, to the county board of election commissioners which prepared the primary ballot. Returns were made to the party board of primary election commissioners which declared the nominees of the party and the chairman certified their names to the county board of election commissioners.⁵

The act of 1907 prescribed a compulsory direct primary election, under the supervision of a county board of primary election commissioners, for the nomination of party candidates for all county and township offices. This board consisted of the same membership as at present and its members acted as election commissioners at the general election. This primary election included all parties casting a ten percent vote as in 1901, and was conducted by bipartisan precinct election boards paid from county funds.⁶

The present primary law incorporates both the nomination of candidates and the election of precinct committeemen and convention delegates in one primary election held at the same time and place and is mandatory on all political parties casting ten percent of the total vote for secretary of state at the last preceding general election.⁷ The board of primary election commissioners of La Porte County supervises primary elections: It prints and distributes the ballots,⁸ appoints the precinct election boards upon nomination by the county chairman of the two major political parties,⁹ and arranges the names of the candidates on the

³ Alma Siekler Bender, *Why Go Back? . . . from the Direct Primary to the Convention System* . . . 21.

⁴ Acts 1889, ch. 87, secs. 17, 18, 26.

⁵ Acts 1901, ch. 219, secs. 1-4, C-11.

⁶ Acts 1907, ch. 282, secs. 1, 2, 6, 10-15, 22, 57.

⁷ Acts 1915; Burns 29-501; Baldwin 7187. Acts 1915, 1917, 1925, 1929; Burns 29-512; Baldwin 7197.

⁸ Acts 1915, 1917; Burns 29-504; Baldwin 7190.

⁹ Acts 1915; Burns 29-505, 29-556, 29-559; Baldwin 7191, 7242, 7244. Acts 1915, 1917; Burns 29-507; Baldwin 7193. Acts 1929; Burns 29-805 to 29-807; Baldwin 7094 to 7096. Acts 1929, 1933; Burns 29-804; Baldwin 7093.

ballots.¹⁰ At all primaries the Australian ballot is used, made up of the tickets of the several parties qualified for participation in the election, each party having a separate ticket printed on different colored paper, uniform in size.¹¹ Declarations of candidacy are filed with or certified to the clerk of the circuit court, who is a member of the board.¹² All expenses of the primary are paid from public funds.¹³ Candidates of the major political parties for all offices—including city, since 1933—except those to be voted upon by all the electors of the state, are nominated at the primary.¹⁴ The statutes governing general elections apply to all primaries.¹⁵

Papers of primary election matters are filed in the office of the clerk of the circuit court (a member of the board of primary election commissioners); they are usually destroyed after a reasonable time.

301. [ELECTION RECORD PRIMARY], 1916—. In Election Records, entry 305.

Sample ballots and records of number of ballots printed, distributed and returned, showing dates of election and certification of inspector, names of candidates, inspector, primary election commissioners and township, precinct numbers, and number of ballots printed, distributed and returned.

XIX. COUNTY BOARD OF CANVASSERS

The board of canvassers of La Porte County, consisting of the election commissioners, was established by an act of 1905.¹ The board elects its own chairman and the clerk of the circuit court acts as its clerk.²

Prior to 1843, the canvass of votes was made by the clerk of the circuit court in the presence of all the election judges who attended from the several townships.³ The board of canvassers, established in 1843, consisted of the inspectors from the several townships and the clerk of the circuit court acting as clerk; it was continued until 1905.⁴

The canvass of votes in primary⁵ and special⁶ elections, including

¹⁰ Acts 1915, 1937; Burns, 1938 suppl., 29-515; Baldwin, 1937 suppl., 7201.

¹¹ Acts 1915, 1917; Burns 29-504, 29-514; Baldwin 7190, 7200.

¹² Acts 1915, 1917, 1933, 1935; Burns 1938 suppl., 29-513; Baldwin, 1935 suppl., 7199. Acts 1915, 1931, 1935; Burns, 1938 suppl., 29-516; Baldwin, 1935 suppl., 7202.

¹³ Acts 1915; Burns 29-534; Baldwin 7220. Acts 1933; Burns 29-1805; Baldwin 11637.

¹⁴ Acts 1915; Burns 29-501; Baldwin 7187. Acts 1915, 1917, 1925, 1929; Burns 29-512; Baldwin 7197. Acts 1933; Burns 29-1807; Baldwin 11639.

¹⁵ Acts 1915; Burns 29-556, 29-559; Baldwin 7242, 7244.

¹ Acts 1905, 1927; Burns 29-1401; Baldwin 7377.

² Acts 1905; Burns 29-1402; Baldwin 7378.

³ Acts 1817-18 (general), ch. 15, sec. 12. Rev. Laws 1831, ch. 32, sec. 12.

⁴ Rev. Stat. 1843, ch. 5, secs. 45-47. 1 Rev. Stat. 1852, ch. 31, secs. 31-33.

⁵ Acts 1915; Burns 29-560; Baldwin 7245. Acts 1915, 1917; Burns 29-525; Baldwin 7211. Acts 1933; Burns 29-1807; Baldwin 11639.

⁶ Acts 1889 (Spec. Sess.); Burns 29-1704; Baldwin 7249. Acts 1889; Burns 29-1611; Baldwin 7169.

votes cast for city⁷ and township officers,⁸ in made in the same manner as in the general election.

The board has full power to send for persons and papers and compel witnesses to answer proper questions under oath. The sheriff serves all processes in county elections and obeys all orders of the board.⁹

The members of the board are required to assemble at six p. m. on the day of each election in the circuit court room to canvass and estimate the certificates, poll lists, and tally papers returned by the election inspectors;¹⁰ to aggregate and tabulate therefrom the votes of the county; and to declare in a certified statement the candidates elected in the county.¹¹

The ballots cast in all primary and general elections, together with all uncast ballots, are sealed in an envelope or bag by the inspector in the presence of the judges and clerks and delivered by him to the clerk of the circuit court who holds them subject to the demand of the judge of any circuit or superior court of the state. In event of suit to contest the election, the judge orders a recount. If no litigation arises at the end of six months the clerk of the circuit court must destroy the ballots.¹²

The certificates, together with a statement of all votes tabulated, canvass sheets, poll books, and tally papers, are delivered to the clerk of the circuit court and filed and preserved by him in his office, open to the inspection of any legal voter. These are destroyed after a reasonable time.¹³

302. [ELECTION RETURNS], 1890—. In Election Records, entry 305. Record of number of votes cast in primary and general elections, showing date of action, names of candidates, ward and precinct numbers, number of votes cast for each candidate, and total number of votes cast.

303. PRIMARY ELECTION RETURNS, 1916—. 34 bdls.

Tally sheets of primary election returns, showing date of election, names of candidates, canvassers and offices, number of votes cast by precinct for each candidate, and total votes cast. Arr. chron. by dates of elections. No index. Hdw. 4 x 8 x 10. Bsmt. rec. rm. 1.

304. GENERAL ELECTION RETURNS, 1832—. 62 file boxes, 95 bdls.

Tally sheets of general election returns, showing date of election, names of candidates, offices and members of board of canvassers, number of votes cast for each candidate in each precinct, and total number of votes cast for each candidate. Arr. chron. by dates of elections. No index. Hdw. File boxes, 11 x 5 x 14; bdls., 4 x 8 x 10. 62 file boxes, 1832-1903, bsmt. vt.; 95 bdls., 1904—, bsmt. rec. rm. 1.

⁷ Acts 1889 (Spec. Sess.) ; Burns 29-1612 ; Baldwin 7170. Acts 1933 ; Burns 29-1803 ; Baldwin 11635.

⁸ Acts 1933 ; Burns 29-1903 ; Baldwin 7252.

⁹ Acts 1905 ; Burns 29-1408 ; Baldwin 7384.

¹⁰ Acts 1905, 1927 ; Burns 29-1401 ; Baldwin 7377.

¹¹ Acts 1905 ; Burns 29-1404, 29-1405 ; Baldwin 7380, 7381.

¹² Acts 1881 (Spec. Sess.) ; Burns 29-2101 ; Baldwin 7388. Acts 1915 ; Burns 29-1304 ; Baldwin 7456.

¹³ Acts 1905 ; Burns 29-1404 ; Baldwin 7380.

XX. COUNTY BOARD OF ELECTION COMMISSIONERS

The board of election commissioners of La Porte County is established by an act of 1889. The board consists of the clerk of the circuit court, and two persons appointed by him, one from each of the major political parties, and nominated by the respective chairmen of the county committees of the parties.¹

Prior to 1899, there was little centralized county control over elections. The unit in the beginning was the township, which, as the population increased, was divided into precincts. Such supervision as was necessary beyond the local unit was performed by various county officers.

At the organization of La Porte County in 1832, the board of county commissioners laid off the townships,² appointed an inspector of elections in each,³ and delivered poll books and other blank forms and ticket boxes to the inspectors.⁴ From 1832 to 1853, the inspectors were elected by the voters of the township.⁵ After 1853, elections were conducted as follows: The clerk of the circuit court certified to the sheriff what officers were to be elected. The sheriff posted a copy of this certificate at the usual places of holding elections, published it in some newspaper of the county, and delivered a copy to each township clerk⁶ or trustee.⁷ The board of county commissioners designated the precincts⁸, and furnished supplies (including ballot boxes, but not ballots)⁹—after 1881, the auditor furnished printed forms¹⁰ and the commissioners, the ballot boxes.¹¹ Each voter furnished his own ballot, which might be written or printed.¹² The township trustee (from 1853 to 1859, the president of the board of township trustees)¹³ served ex officio as inspector of elections¹⁴ in the precinct in which he resided,¹⁵ and the board of county commissioners appointed inspectors in all additional precincts.¹⁶ The precinct election board was composed of the inspector, judges, and clerks; the judges were appointed by the inspector and the clerks by the inspector and judges.¹⁷ After 1881, they were chosen from the political parties casting the highest number of votes in the last preceding general election.¹⁸

¹ Acts 1889; Burns 29-1002; Baldwin 7109.

² Acts 1817-18 (general), ch. 17, sec. 2. Acts 1832, ch. 2, sec. 2. Commissioners' Record, A:1-2.

³ Acts 1817-18 (general), ch. 15, sec. 1; ch. 17, sec. 3. Acts 1832, ch. 2, sec. 2.

⁴ Acts 1817-18 (general) secs. 1, 18. Acts 1832, ch. 2, sec. 2.

⁵ Rev. Laws 1831, ch. 20, sec. 20. Wm. W. Thornton, *Indiana Township Officers*, 20, 21.

⁶ 1 Rev. Stat. 1852, ch. 31, sec. 2.

⁷ Acts 1881 (Spec. Sess.); Burns 29-702; Baldwin 7082.

⁸ 1 Rev. Stat. 1852, ch. 31, sec. 3. Acts 1881 (Spec. Sess.), ch. 47, sec. 8.

⁹ 1 Rev. Stat. 1852, ch. 31, secs. 11, 12.

¹⁰ Acts 1881 (Spec. Sess.), ch. 47, sec. 13.

¹¹ *Ibid.*, sec. 18.

¹² Acts 1817-18 (general), ch. 15, sec. 8. 1 Rev. Stat. 1852, ch. 31, sec. 17. Acts 1881 (Spec. Sess.), ch. 47, sec. 23.

¹³ 1 Rev. Stat. 1852, ch. 31, sec. 3.

¹⁴ Acts 1859; Burns 65-105; Baldwin 16065. Acts 1859, 1889; Burns 65-102; Baldwin 16060.

¹⁵ Acts 1881 (Spec. Sess.), ch. 47, sec. 10.

¹⁶ 1 Rev. Stat. 1852, ch. 31, sec. 4.

¹⁷ Acts 1817-18 (general), ch. 15, sec. 2. 1 Rev. Stat. 1852, ch. 31, sec. 4.

¹⁸ Acts 1881 (Spec. Sess.), ch. 47, secs. 11, 12.

Indiana, in 1889, was one of the first states to adopt the "Australian ballot"—an official ballot printed at public expense by public officers and distributed at the polls by the election officers. The board of election commissioners was established to prepare, print, and distribute the ballots and otherwise administer the election laws in the county.¹⁹

The constitution fixes the date of general elections as the Tuesday next after the first Monday in November,²⁰ and an act of the general assembly provides that they be conducted biennially.²¹ The sheriff gives notice to electors by posting at the usual polling places a copy of the certificate from the clerk of the circuit court stating what officers are to be elected.²² The constitution further provides that all elections by the people must be by ballot,²³ or voting machines²⁴ which are provided by the board of county commissioners.²⁵

The board of county commissioners also establishes the precincts²⁶ and provides all polling places and ballot boxes²⁷ and the auditor furnishes blank poll books and other forms to the inspectors.²⁸

The county board of election commissioners supervises general elections;²⁹ and it prints and distributes ballots for the election of all officers to be voted for in La Porte County, other than those who are to be voted for by all of the electors of the state.³⁰ The state ballots are furnished by the state board of election commissioners.³¹ The county ballots are prepared in accordance with petitions for placing candidates' names on the ballot and with certificates of nomination by convention or primary election, as filed with the clerk of the circuit court.³² The county board also prints and furnishes the ballot label for the voting machines.³³

The election is conducted by the precinct election boards, consisting of one inspector and two judges, who are appointed by the county board of election commissioners. The township trustee is ex officio inspector in his own precinct and the other inspectors are nominated by the party casting the highest number of votes in the county for secretary of state in the preceding election. The two judges must be of opposite political

¹⁹ Acts 1889, ch. 87, secs. 18, 26.

²⁰ Const., art. 2, sec. 14 (as amended in 1881).

²¹ Acts 1881 (Spec. Sess.) ; Burns 29-701 ; Baldwin 7081.

²² Acts 1881 (Spec. Sess.) ; Burns 29-702 ; Baldwin 7082.

²³ Const., art. 2, sec. 13.

²⁴ *Spickerman v. Goddard*, 182 Ind. 523 ; 107 N.E. 2.

²⁵ Acts 1901, 1903 ; Burns 29-2404 ; Baldwin 7352. Acts 1920 (Spec. Sess.) ; Burns 29-903 ; Baldwin 7148.

²⁶ Acts 1889 ; Burns 29-801 ; Baldwin 7089. Acts 1920 (Spec. Sess.) ; Burns 29-901 ; Baldwin 7091.

²⁷ Acts 1897 ; Burns 29-1121 ; Baldwin 7135. Acts 1920 (Spec. Sess.) ; Burns 29-909 ; Baldwin 7154.

²⁸ Acts 1889 ; Burns 29-808 ; Baldwin 7097.

²⁹ Acts 1889 ; Burns 29-1116, 29-1117, 29-1119, 29-1120 ; Baldwin 7130, 7131, 7133, 7134. Acts 1901 ; Burns 29-2410, 29-2426, 29-2428 ; Baldwin 7358, 7374, 7376. Acts 1903 ; Burns 29-2407 ; Baldwin 7355.

³⁰ Acts 1889 ; Burns 29-1002 ; Baldwin 7109.

³¹ Acts 1889 ; Burns 29-1001 ; Baldwin 7108. Acts 1897, 1919, 1933 ; Burns 29-1106 ; Baldwin 7120. Acts 1920 ; Burns 29-1107 ; Baldwin 7121.

³² Acts 1889, 1933 ; Burns 29-1003 ; Baldwin 7110.

³³ Acts 1901 ; Burns 29-2410 ; Baldwin 7358.

faith and are nominated by the county chairmen of the two major political parties. Other precinct officials—two election sheriffs, two poll clerks, and if found necessary, two assistant poll clerks—are nominated and appointed in the same manner.³⁴

Since 1933, city³⁵ and township³⁶ elections are held at the time of the general election, and are under the supervision of the county board of election commissioners,³⁷ as are all special elections.³⁸

The board has full power to send for persons and papers and compel witnesses to answer proper questions under oath. The sheriff serves all processes in county elections and obeys all orders of the board.³⁹

Records of all general elections are filed in the office of the clerk of the circuit court (who is a member of the board of election commissioners) for preservation as provided by statute.⁴⁰

305. ELECTION RECORDS, 1890—. 3 vols. (1-3).

Sample ballots and record of number of ballots printed, distributed and returned, showing dates of election and certification of inspector, names of candidates, inspector, election commissioners and township, precinct numbers, and number of ballots printed, distributed and returned. Also contains: [Election Record Primary], 1916—, entry 301; [Election Returns], 1890—, entry 302. Arr. chron. by dates of elections. No index. Hdw. 500 pp. 18 x 12 x 2. Clk. off.

306. ELECTION EXPENSE CLAIMS, 1916—. 2 bdls.

Original statements of election expenses filed by candidates for various public offices, showing dates of statement and election, names of candidate and office sought, and itemized statement of expense incurred. Arr. chron. by dates of statements. No index. Hdw. 4 x 12 x 14. Bsmt. rec. rm. 1.

307. RECORD OF APPOINTMENT OF ELECTION SHERIFFS, 1890-98, 1906-24. 4 vols. Discontinued.

Record of appointments of election sheriffs, showing dates of appointment and election, name of appointee and township, and ward and precinct numbers. Arr. chron. by dates of appointments. No index. Hdw. 300 pp. 17 x 10 x 1½. Bsmt. rec. rm. 1.

XXI. COUNTY BOARD OF EDUCATION

The board of education of La Porte County, as established by an act of 1873 and amended in 1877, consists of the county superintendent of schools, the township trustees, and the chairman of the school trustees of each city and town of the county. Before 1877, all the school trustees

³⁴ Acts 1929; Burns 29-805 to 29-807; Baldwin 7094 to 7096. Acts 1929, 1933; Burns 29-804; Baldwin 7093.

³⁵ Acts 1889, 1891; Burns 29-1612; Baldwin 7170. Acts 1933; Burns 29-1806; Baldwin 11638.

³⁶ Acts 1933, 1935; Burns, 1938 suppl., 29-1901; Baldwin, 1935 suppl., 7250.

³⁷ Acts 1933; Burns 29-1803; Baldwin 11635.

³⁸ Acts 1881; Burns 29-1704; Baldwin 7249. Acts 1889; Burns 29-1611; Baldwin 7169.

³⁹ Acts 1905; Burns 29-1408; Baldwin 7384.

⁴⁰ Acts 1889; Burns 29-1009; Baldwin 7113. Acts 1911, 1913, 1915; Burns 29-2508; Baldwin 7445. Acts 1911; Burns 29-2510; Baldwin 7447.

of each town and township were also included as members of the board.¹

Semiannual meetings are held at the office of the county superintendent on the first day of May and September. A majority of the board members constitute a quorum. The county superintendent presides at the meetings and he casts his vote in the same manner as the other members.²

The board acts in an advisory capacity by determining and considering the wants and needs of the schools; it provides for the maintenance of school property and purchase of furniture, books, maps, charts, and other supplies.³ The board may purchase text books from publishers and sell them to pupils at cost,⁴ or rent them to pupils at not to exceed 25 per cent of the retail price.⁵

308. RECORD OF MINUTES OF THE BOARD OF EDUCATION, 1904—.

1 vol. 1873-1903 in School Examiners' Record, entry 309.

Minutes of meetings of board of education, showing date and place of meeting, names of members present, subjects of business discussed, and action taken. Arr. chron. by dates of meetings. No index. Hdw. 400 pp. 15 x 9 x 2. Supt. off.

XXII. COUNTY SUPERINTENDENT OF SCHOOLS

The superintendent of schools of La Porte County is elected by the township trustees for a four-year term, under the authority of an act of 1899 and later amendments, which increased his powers as originally defined in an act of 1873.¹ No person is eligible to the office of superintendent of schools who has not had five years' successful experience as a teacher and who does not hold a first or second grade superintendent's license.² The superintendent must take an oath to perform his duties according to law and execute a bond of five thousand dollars, approved by the auditor.³

Prior to 1899, the board of commissioners, by an act of 1853, appointed one to three school examiners for the county;⁴ by an act of 1861, one school examiner.⁵ The title of school examiner was changed to superintendent of schools and the power of appointment was transferred to the township trustees by an act of 1873.⁶

¹ Acts 1873, 1877; Burns 28-801; Baldwin 5983. Note: Although the members of the city and town boards are members of the county board, they do not attend the meetings with any regularity and take no active part in the business of the board.

² Acts 1873, 1877; Burns 28-801; Baldwin 5983.

³ *Ibid.*

⁴ Acts 1921; Burns 28-614; Baldwin 6692.

⁵ Acts 1935; Burns, 1938 suppl., 28-638; Baldwin, 1935 suppl., 6692-1.

⁶ Acts 1873, ch. 25, secs. 3, 4, 6-8. Acts 1899, 1911, 1913; Burns 28-702; Baldwin 5931.

² Acts 1935; Burns, 1938 suppl., 28-701; Baldwin, 1935 suppl., 5933-1.

³ Acts 1899, 1911, 1913; Burns 28-702; Baldwin 5931.

⁴ Acts 1853, ch. 106, sec. 6.

⁵ Acts 1861, ch. 41, sec. 32.

⁶ Acts 1873, ch. 25, sec. 2.

The superintendent exercises general supervision of the schools outside of incorporated cities and towns of La Porte County.⁷ His duties are to visit the schools in session for the purpose of increasing their usefulness and raising their standards as uniformly as practicable; to carry out the orders of the state board of education and the state superintendent of public instruction;⁸ to conduct county teachers' institutes⁹ and conduct and preside over township institutes;¹⁰ to report as to teachers' preparation, experience, and license before they are employed;¹¹ to compile the enumeration of pupils of the county¹² and from such returns make out the apportionment of the school revenues.¹³ He is an ex officio member of the county board of education and presides at its meetings.¹⁴

The superintendent keeps a complete record of licenses held by all regular school teachers, date of employment, and their success grades.¹⁵

REPORTS

309. SCHOOL EXAMINERS RECORD, 1865-1905. 1 vol. Discontinued. Record of school examiners activities, showing date of report, enumeration of school children, school attendance, number, qualifications and compensation of teachers, valuation and condition of school property and equipment, maintenance cost, and financial condition of school fund. Also contains: Record of Minutes of the Board of Education, 1873-1903, entry 308; County Institute Record, 1865-90, entry 312; Record of Teacher's Examination, 1865-72, entry 313; Record of Graduates, 1884-96, entry 316. Arr. chron. by dates of reports. No index. Hdw. 359 pp. 18 x 12 x 2. Bsmt. rec. rm. 1.

310 OFFICIAL RECORD OF SCHOOL VISITS, 1874-76. 1 vol. Discontinued.

Record of school visits made by county superintendent of schools, showing date of visit, names of school, teacher and township, and reports on attendance, students, discipline, books, and teacher personality traits. Arr. chron. by dates of visits. No index. Hdw. 200 pp. 14 x 9 x 1. Bsmt. rec. rm. 1.

TEACHERS

311. COUNTY INSTITUTE RECORD, 1931—. 1 file drawer.

Lists of teachers attending county institutes, showing date of institute, name of teacher, and amount of attendance fee paid. Arr. chron. by dates of institutes. No index. Typed. 12 x 9 x 1. Supt. off.

312. COUNTY INSTITUTE RECORD, 1891-1920. 2 vols. 1865-90, in School Examiners Record, entry 309. Discontinued.

Minutes of meetings of teachers' institutes, showing date of meeting,

⁷ Acts 1873; Burns 28-1401; Baldwin 5973. Acts 1899; Burns 28-705; Baldwin 5940.

⁸ Acts 1899; Burns 28-704; Baldwin 5938.

⁹ Acts 1907, 1929, 1933; Burns 28-4402; Baldwin 6725.

¹⁰ Acts 1899; Burns 28-706; Baldwin 5942.

¹¹ Acts 1927, 1933; Burns 28-4309; Baldwin 6005.

¹² Acts 1865, 1873, 1895; Burns 28-714; Baldwin 5948.

¹³ Acts 1865; Burns 28-715; Baldwin 5949.

¹⁴ Acts 1873, 1877; Burns 28-801; Baldwin 5983.

¹⁵ Acts 1923; Burns 28-4217; Baldwin 5928.

names of members present, days attended, days absent, nature of subjects discussed, and financial report of institute. Arr. chron. by dates of meetings. No index. Hdw. 500 pp. 18 x 12 x 2. Bsmt. rec. rm. 1.

313. RECORD OF TEACHERS EXAMINATION, 1873-1913. 5 vols. 1865-72 in School Examiners Record, entry 309. Discontinued.

Record of examinations taken by applicants for county and state licenses to teach in grade and high schools, showing dates of examination and license, name, address and age of teacher, grade taught, subjects covered by examination and grade made in each, general average grade, and type of license granted. Arr. chron. by dates of examinations. No index. Hdw. 115 pp. 14½ x 9 x 1. Bsmt. rec. rm. 1.

PUPILS

314. ANNUAL REGISTER, LA PORTE CO. PUBLIC SCHOOLS, 1919—. 19 vols.

Annual register of grade and high school pupils, showing names of school, township and pupils enrolled, days present, days absent, grade attended, grade attained, number of girls and boys attending school, pupils admitted by transfer from other schools, number of pupils tardy, number of visits by truant officer, and average daily attendance. Arr. alph. by names of twps. No index. Hdw. 180 pp. 14 x 10 x 1. Supt. off.

315. OLD STYLE HIGH SCHOOL RECORDS, 1918-31. 2 file boxes.

Papers relating to scholarship record of pupils who attended La Porte County high schools, showing name, address and date and place of birth of pupil, names of parents and teachers, dates of entrance and graduation, grade received in each subject, weeks attended school, and credits attained. Arr. by names of schools. No index. Hdw. 5½ x 6½ x 14. Supt. off.

For subsequent records, see entry 314.

316. RECORD OF GRADUATES, 1897-1903. 1 vol. 1884-96 in School Examiners Record, entry 309.

Record of pupils graduating from county schools, showing names of graduates, teacher and township, total months of attendance and days absent, grades attained in all subjects, and general average. Arr. alph. by names of townships, thereunder chron. by years of graduation. No index. Hdw. 100 pp. 11 x 15 x 1. Bsmt. rec. rm. 1.

For subsequent records, see entry 314.

XXIII. COUNTY HEALTH OFFICER

The health officer of La Porte County who is appointed by the board of commissioners for a four-year term, under the authority of an act of 1935, effective January 1, 1938, is a part-time official. He must be a regularly licensed physician, suitably trained in sanitary science and hygiene, with qualifications satisfactory to the state board of health. Should the state board of health fail to approve the nomination of the person recommended, the board of commissioners must make another

nomination at once.¹ The health officer must give bond in the amount that the board of commissioners determines.²

From 1881 to 1909, the board of commissioners constituted the county board of health ex officio and elected annually a secretary, who was a physician and served as health officer. The statute governing these matters provided that the secretary must render medical and surgical services to inmates of the county jail and other services required by the board of commissioners.³ An act of 1891 enlarged the duties of the board and its secretary was its executive officer.⁴ In 1909, the board of health was abolished and the office of health commissioner was established, which continued until superseded by the health officer in 1938. The board of commissioners elected as health commissioner a licensed physician.⁵

The health officer protects and supervises the general health and sanitation of the county outside of incorporated cities.⁶ He enforces the health laws of the state and the rules and regulations of the state board of health,⁷ oversees inspection of food and drugs,⁸ condemns buildings unfit for human habitation,⁹ and issues burial permits.¹⁰ He makes inspections of all public buildings and institutions and of private property; investigates the presence, source, and cause of disease, and establishes quarantine; if necessary, closes schools and churches and forbids public gatherings in order to prevent epidemics; and protects the public health in all reasonable and necessary ways.¹¹

The health officer collects, records, and reports the vital statistics of the county, and keeps full and permanent records of the public health work and of his reports. He makes monthly reports of his work to the state board of health.¹²

VITAL STATISTICS

317. RECORD OF BIRTHS, 1882—. 21 vols.

Record of births in county outside of incorporated towns and cities, showing date and place of birth, sex, name, legitimacy and color of child, name and address of attending physician, names, ages, occupations and birthplaces of parents, and date of physician's report. Arr. chron. by dates of physicians' reports. Indexed alph. by names of parents and children. Hdw. 200 pp. 12 x 18 x 1. Hlth. offr. off., 702 Maple Ave., La Porte.

¹ Acts 1935; Burns, 1938 suppl., 35-118; Baldwin, 1935 suppl., 8404-1.

² Acts 1891, 1909; Burns 35-108; Baldwin 8402.

³ Rev. Stat. 1881, sec. 4993.

⁴ Acts 1891, ch. 15, sec. 8.

⁵ *Ibid.*, secs. 8, 10. Acts 1909, ch. 144, secs. 4, 6.

⁶ Acts 1935; Burns, 1938 suppl., 35-122, 35-124; Baldwin, 1935 suppl., 8404-5, 8404-7.

⁷ Acts 1891, 1909; Burns 35-111; Baldwin 8405.

⁸ Acts 1907; Burns 35-1207; Baldwin 8476.

⁹ Acts 1917; Burns 35-1801; Baldwin 8563.

¹⁰ Acts 1907, 1913; Burns 35-115; Baldwin 8398.

¹¹ Acts 1891, 1909; Burns 35-111; Baldwin 8405.

¹² *Ibid.*

318. COUNTY MARRIAGE RECORD, 1882-1930, 1934—. 30 vols.

Record of returns of marriages reported by clerk to health officer, showing dates of marriage and return, names, ages, color, occupations, birthplaces, and addresses of bride and groom, place of marriage, and names of witnesses and person officiating. Arr. chron. by dates of returns. No index. Hdw. 300 pp. 18 x 12 x 1. Hlth. offr. off., 702 Maple Ave., La Porte.

For other marriage records, see entries 36-38.

319. RECORD OF CONTAGIOUS DISEASES, 1882-1906, 1911—. 6 vols.

Record of contagious and infectious diseases reported in county outside of incorporated cities and towns, showing dates of report and quarantine, name, address, race, sex, family history and age of patient, number of persons in family, name of physician, and nature of disease. Arr. chron. by dates of reports. Indexed alph. by names of patients. Hdw. 200 pp. 12 x 18 x 1. Hlth. offr. off., 702 Maple Ave., La Porte.

320. RECORD OF DEATHS, 1882—. 16 vols.

Record of death returns outside of incorporated cities and towns, showing date of return, name, sex, age, race and occupation of deceased, names of parents, attending physician and undertaker, place, date and cause of death, duration of sickness, and place of burial. Arr. chron. by dates of returns. Indexed alph. by names of deceased. Hdw. 200 pp. 12 x 20 x 1. Hlth. offr. off., 702 Maple Ave., La Porte.

XXIV. PUBLIC HEALTH NURSE

La Porte County has two full-time health nurses appointed by the county commissioners (subject to approval by state board of health). They are legally qualified and have been trained in sanitary science and public health.¹ The expenses of the office are paid from county and state funds.

These nurses devote their entire time in cooperation with the part-time county health office, school officials, and the county medical society. They perform such duties as may be prescribed by the state board of health.²

The county nurse's office has been located in the county superintendent's office and the records are kept there. A quarterly report is made to the state board of health.

321. FAMILY RECORD, 1937—. 2 file boxes.

Case histories of families visited by health nurse, showing names of parents and children, dates of birth and death, age at death, cause of death, and personal information. Arr. alph. by names of families. No index. Hdw. 6 x 8 x 12. Supt. off.

322. DAILY REPORT, 1937—. 4 bdls., 1 vol.

Daily activity reports of county health nurses, showing date of report,

¹ Acts 1935; Burns, 1938 suppl., 35-118, 35-119, 35-123; Baldwin, 1935 suppl., 8404-1, 8404-2, 8404-6.

² Acts 1935; Burns, 1938 suppl., 35-123; Baldwin, 1935 suppl., 8404-6.

district and code numbers, name of worker, name and address of person or school visited, and narrative reports. Arr. chron. by dates of reports. No index. Hdw. Vol., 9 x 6 x 1; bdls., 2 x 5 x 8. Supt. off.

323. QUARTERLY REPORT OF ALL SERVICES, 1937—. 3 file drawers. Copies of quarterly reports of all visits to homes and schools in rural areas submitted by county health nurses to Indiana State Board of Health, showing date of report, name and population of health unit, numbers of field visits, patients admitted to hospitals and physicians care, persons immunized, inspections by physician or nurse, public lectures, reportable diseases and laboratory specimens examined, nature of diseases, and type of supervision. Arr. chron. by dates of reports. No index. Hdw. 11 x 14 x 24. Supt. off.

XXV. COUNTY DEPARTMENT OF PUBLIC WELFARE

The department of public welfare of La Porte County, as created by the general assembly in 1936, is administered by the county board and a director of public welfare.¹ The department is set up as a legal entity and it may sue and be sued under the name of "The County Department of Public Welfare of La Porte County."²

Before the present system of welfare was organized, the county administered aid to the poor and needy through discretionary powers granted the county. County asylums were established at an early date to care for those who were without homes and means to care for themselves.³ In 1857 the county boards having authority to spend county funds were directed to give aid to needy blind and infirm poor.⁴ In 1901 the board of children's guardians was established to provide adequate care and supervision of neglected and dependent children.⁵ The board of charities and corrections, organized in 1899, inspected and advised changes in the county institutions;⁶ and a system of old-age pensions was enacted in 1933.⁷ These previous organizations were incorporated in the present welfare law.⁸

The county board of public welfare consists of five members. These members have been residents of the county for at last two years prior to appointment, and they have to have a definite and recognized interest in public welfare. The judge of the circuit court makes the appointments. At least two of the board members must be women, and not more than three may belong to one political party. The first members were ap-

¹ Acts 1936 (Spec. Sess.), 1937; Burns, 1938 suppl., 52-1117, 52-1118, 52-1119, 52-1126; Baldwin, 1937 suppl., 14078-18, 14078-19, 14078-20, 14978-27.

² Acts 1936 (Spec. Sess.); Burns, 1938 suppl., 52-1122. Baldwin, 1937 suppl., 14078-23.

³ 1 Rev. Stat. 1852; Burns 52-201; Baldwin 13360. Acts 1901; Burns 52-104; Baldwin 13361.

⁴ Acts 1857; Burns 26-1202; Baldwin 5295.

⁵ Acts 1901, 1923, 1927; Burns 22-2801, 22-2802; Baldwin 5684, 5685.

⁶ Acts 1899; Burns 22-2901, 22-2902, 22-2903; Baldwin 4116, 4117, 4118.

⁷ Acts 1933; Burns 52-301; Baldwin 13228.

⁸ Acts 1936 (Spec. Sess.), 1937; Burns, 1938 suppl., 52-1121, 52-1410; Baldwin, 1937 suppl., 14078-22, 14078-122.

pointed: One for one year, two for two years, and two for four years; thereafter the terms will be for four years. Regular meetings are held once a month; the August meeting is known as the annual meeting, and others may be held pursuant to call."

The executive and administrative work is carried on by the director of public welfare. He is appointed by the county board solely on the basis of merit from eligible lists established by the state department. He must have resided in the county at least two years before appointment unless there is no qualified person available. He must give bond, payable to the state, approved by the judge of the circuit court, and filed in the office of the clerk, conditioned for faithful discharge of his official duties.⁹

The director appoints, with the approval of the board, the assistants in the department from eligible lists compiled by the state department; he affixes the salaries of the assistants.¹¹

There are four divisions of duties of the department.¹² The division of assistance administers old-age assistance, aid to dependent children in their own homes, aid to blind, and supervision of the industrial board for the blind.¹³ The childrens' division takes care of orphaned children, and children to be sent to the deaf, blind, or correctional schools.¹⁴ The division of medical care is charged with the care of inmates in institutions for feeble-minded, insane, epileptic, and tuberculous persons.¹⁵ The division of corrections keeps the records of all persons placed in penal and correctional institutions.¹⁶ The department also administers provisions and benefits of the federal "Social Security Act" of August 14, 1935.¹⁷ The county department is at all times responsible to the state department.¹⁸

Expenditures for assistance and administration of the department are paid from the county welfare fund raised by a separate tax levy,¹⁹ to which are added such repayments as may be made under legal liability by recipients, their parents, children or other persons liable for their support.²⁰ Old-age assistance certificates, filed with the recorder, establish liens against estates of recipients to insure reimbursement.²¹ The

⁹ Acts 1936 (Spec. Sess.), 1937; Burns, 1938 suppl., 52-1118; Baldwin, 1937 suppl., 14078-19.

¹⁰ Acts 1936 (Spec. Sess.), 1937; Burns, 1938 suppl., 52-1119; Baldwin, 1937 suppl., 14078-20.

¹¹ Acts 1936 (Spec. Sess.), 1937; Burns, 1938 suppl., 52-1123; Baldwin, 1937 suppl., 14078-24.

¹² Acts 1936 (Spec. Sess.); Burns, 1938 suppl., 52-1107; Baldwin, 1937 suppl., 14078-8.

¹³ Acts 1936 (Spec. Sess.); Burns, 1938 suppl., 52-1108; Baldwin, 1937 suppl., 14078-9.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ Acts 1936 (Spec. Sess.); Burns, 1938 suppl., 52-1113; Baldwin, 1937 suppl., 14078-14.

¹⁸ Acts 1936 (Spec. Sess.); Burns, 1938 suppl., 52-1120; Baldwin, 1937 suppl., 14078-21.

¹⁹ Acts 1936 (Spec. Sess.); Burns, 1938 suppl., 52-1301; Baldwin, 1937 suppl., 14078-98.

²⁰ Acts 1936 (Spec. Sess.); Burns, 1938 suppl., 52-1263; Baldwin, 1937 suppl., 14078-94.

²¹ Acts 1936 (Spec. Sess.); Burns, 1938 suppl., 52-1207; Baldwin, 1937 suppl., 14078-38.

county receives funds from the state, and a part of any Federal funds granted to the state,²² to be paid into the county welfare fund. All claims for administrative expenses are subject to allowance by the board of commissioners. Claims for assistance are not so subject, but are determined by the department and approved by the director.²³ The county board may accept gifts, or bequests of personal property or income from real estate for the homes or support of dependent children.²⁴

The auditor keeps the records relating to the county welfare fund and its financial transactions.²⁵ The department keeps such records and accounts relating to assistance as the state department prescribes.²⁶ All records, except applications for assistance and for awards and modification and revocation of awards, are confidential.²⁷

PROCEEDINGS OF THE BOARD

324. RECORD OF MINUTES OF BOARD OF PUBLIC WELFARE, 1936— 1 vol.

Minutes of meetings of board of public welfare, showing date of meeting, names of members present, nature of business discussed and action taken. Arr. chron. by dates of meetings. No index. Typed. 400 pp. 18 x 12 x 2. Pub welf. off.

325. RECORD OF RECOMMENDATION OF COUNTY DIRECTOR, 1936— 1 vol.

Record of recommendations of county director and action of county board of public welfare as to rejections, grants, revocations and modifications of assistance awards, showing dates of recommendation and action, application, recommendation, sheet and code numbers, name of applicant, recommendation of county director, action of county board of welfare, and certificate number or date notice issued. Arr. numerically by application nos. No index. Typed. 400 pp. 16 x 10 x 2. Pub welf. off.

OLD-AGE ASSISTANCE

(See also entries 82, 262, 344)

326. REGISTER OF APPLICATIONS FOR ASSISTANCE FOR AGED, BLIND AND DEPENDENT CHILDREN, 1936—. 1 vol.

Record of applications for assistance to aged and blind persons and dependent minors, showing date of application, name, age, address,

²² Acts 1936 (Spec. Sess.) ; Burns, 1938 suppl., 52-1219, 52-1249, 52-1254 ; Baldwin, 1937 suppl., 14078-50, 14078-80, 14078-85. Acts 1936 (Spec. Sess.), 1937 ; Burns, 1938 suppl., 52-1124a ; Baldwin, 1937 suppl., 14078-25.

²³ Acts 1936 (Spec. Sess.) ; Burns, 1938 suppl., 52-1124 ; Baldwin, 1937 suppl., 14078-25.

²⁴ Acts 1936 (Spec. Sess.) ; Burns, 1938 suppl., 52-1122 ; Baldwin, 1937 suppl., 14078-23.

²⁵ Acts 1936 (Spec. Sess.) ; Burns, 1938 suppl., 52-1401 ; Baldwin, 1937 suppl., 14078-113.

²⁶ Acts 1936 (Spec. Sess.) ; Burns, 1938 suppl., 52-1260 ; Baldwin, 1937 suppl., 14078-91.

²⁷ Acts 1936 (Spec. Sess.) ; Burns, 1938 suppl., 52-1262 ; Baldwin, 1937 suppl., 14078-93.

personal history and sex of applicant, date application sent to state department, and application number. Arr. chron. by dates of applications. No index. Typed. 400 pp. 18 x 14 x 2. Pub. welf. off.

For prior records of old-age pensions, see entry 332.

327. REGISTER OF ASSISTANCE GIVEN AGED PERSONS, ACTIVE, 1936—. 1 vol.

Record of certificates of awards for old-age assistance, showing date of application, certificate and application code and serial numbers, name and address of recipient, and amount of monthly assistance. Arr. numerically by application nos. No index. Typed. 400 pp. 8 x 14 x 2. Pub. welf. off.

328. RECORD OF ASSISTANCE GIVEN AGED PERSONS, INACTIVE, 1936—. 1 vol.

Record of inactive certificates of award for old-age assistance, showing date of application, certificate and application code and serial numbers, name and address of recipient, amount of monthly assistance, and reason for cancellation. Arr. numerically by application nos. No index. Typed. 300 pp. 8 x 14 x 2. Pub. welf. off.

329. RECORD OF OLD AGE ASSISTANCE, ACTIVE, 1936—. 4 file drawers. Applications for old-age assistance, visitors' reports, record of applicants, and certificates of award, showing application code and serial numbers, dates of application and visitor's reports, name, personal history and financial statements of applicant, recommendations of visitor and director, decision of board, and amount of award. Arr. numerically by application nos. No index. Typed. 12 x 14 x 24. Pub. welf. off.

330. RECORD OF OLD AGE ASSISTANCE, INACTIVE, 1933—. 2 file boxes, 2 file drawers.

Inactive applications for old-age assistance, visitors' reports, records of applicants, and awards rejected, showing date of application, serial number, name, address and birth date of applicant, names and addresses of witnesses and person administering oath, financial statement of applicant, and reason for rejection. Arr. alph. by names of applicants. No index. Typed. 12 x 14 x 24. Pub. welf. off.

331. ALLOWANCE SCHEDULE FOR AGED PERSONS AND DEPENDENT CHILDREN, 1936—. 1 vol.

Copies of allowance schedules for old-age assistance and dependent children in custody of relatives and auditor's and county welfare director's certifications to state department of public welfare, showing claim, account, appropriation and warrant numbers, names of account, appropriation and payee, date of schedule, and total payments for month. Arr. chron. by dates of schedules. No index. Typed. 400 pp. 9 x 14 x 2. Pub. welf. off.

332. RECORD OF OLD AGE PENSIONS, 1933-Mar. 1936. 2 vols. (1, 2). Discontinued by Welfare Act, 1936.

Record of applications for old-age pensions approved by county board of commissioners, showing date of application, name, address, date and place of birth, citizenship, personal history, income, and oath of applicant. Arr. alph. by names of applicants. No index. Typed. 400 pp. 18 x 12 x 2. Pub. welf. off.

For subsequent records, see entry 326.

DEPENDENT CHILDREN ASSISTANCE

See also entries 326, 331, 344)

333. REGISTER OF ASSISTANCE GIVEN DEPENDENT CHILDREN, 1936—
1 vol.

Record of assistance given dependent children, showing date assistance effective, application code and serial and certificate numbers, names and birth dates of children, name and address of person in loco parentis, amounts eligible and ineligible for federal aid, amount of award, and date, warrant number and amount of each payment. Arr. numerically by warrant nos. No index. Typed. 400 pp. 8 x 14 x 2. Pub. welf. off.

334. RECORD OF ASSISTANCE TO DEPENDENT CHILDREN, ACTIVE,
1936—. 2 file drawers.

Applications for assistance to dependent children, showing date of application, application code and serial numbers, names and addresses of children and parent, guardian or other person in loco parentis, and family history of parents and child. Arr. numerically by serial nos. No index. Typed. 12 x 14 x 24. Pub. welf. off.

335. RECORD OF ASSISTANCE TO DEPENDENT CHILDREN, INACTIVE,
1936—. 1 file drawer.

Inactive applications for assistance to dependent children, showing date of application, application code and serial numbers, names and addresses of children and parent, guardian or other person in loco parentis, family history of parents and children, and reason for cancellation. Arr. numerically by application nos. No index. Typed. 12 x 14 x 24. Pub. welf. off.

336. BIRTH DATE CARD RECORD, 1936—. 1 file drawer.

Card reference to birth dates of dependent children, showing code and serial numbers, name and birth date of child, and date of child's sixteenth birthday. Arr. alph. by names of children. No index. Typed. 4 x 6 x 18. Pub. welf. off.

337. RECORD OF WARDS OF DEPARTMENT OF PUBLIC WELFARE, ACTIVE,
1936—. 1 file drawer.

Original papers pertaining to placement of dependent children in foster homes, including register of dependent children in foster care or under supervision, the foster home in use, and report of discharge of child from foster care, showing type, code and serial numbers, names of children, investigator and foster parents, and dates of placement and removal. Arr. numerically by serial nos. No index. Typed. 12 x 14 x 24. Pub. welf. off.

338. RECORD OF WARDS OF DEPARTMENT OF PUBLIC WELFARE, IN-
ACTIVE, 1937—. 1 file box.

Original papers of inactive cases pertaining to placement of dependent children in foster homes, including register of dependent children in foster care or under supervision, the foster home in use, and report of discharge of child from foster care, showing type, code and serial numbers, names of children, investigator and foster parents, and reason for rejection. Arr. numerically by serial nos. No index. Typed. 12 x 14 x 24. Pub. welf. off.

339. RECORD OF FOSTER CHILDREN, 1936—. 1 file drawer.

Register of foster home applications, showing date application received, address and kind of home of foster family, type, code and serial numbers, number of children applied for, age and sex of children, active or inactive, visitor assigned, and decision. Arr. numerically by serial nos. No index. Typed. 12 x 14 x 24. Pub. welf. off.

340. INDIVIDUAL RECORD, SERVICE FOR CRIPPLED CHILDREN, 1937—. 1 vol.

Individual record of service for crippled children, showing application code and serial numbers, names and addresses of child and parent, guardian or person in loco parentis, name and address of hospital or foster home, dates of admittance and dismissal, dates, amounts and purpose of payments for treatment and warrant number. Arr. numerically by application nos. No index. Typed. 200 pp. 8 x 14 x 1. Pub. welf. off.

341. RECORD OF ASSISTANCE TO CRIPPLED CHILDREN, ACTIVE, 1937—. 1 file drawer.

Original papers pertaining to services for crippled children in need of hospitalization, including applications, authorizations by county board of public welfare for examination of child, recommendations for treatment, data from responsible persons, recommendations or county medical advisory committee, authorizations for transportation, and reports to state department and to medical social worker at hospital center, showing date of application, code and serial numbers, name, age, sex and color of child, name and address of parent, guardian or person in loco parentis, and nature of crippled condition. Arr. numerically by serial nos. No index. Typed. 12 x 14 x 24. Pub. welf. off.

BLIND ASSISTANCE
(See also entry 326)

342. RECORD OF ASSISTANCE TO THE BLIND, ACTIVE, 1937—. 1 file drawer.

Applications for assistance to the blind, statistical reports to state department of public welfare of individuals recommended for grants of blind assistance, and certifications of award, showing application code and serial numbers, name, color, personal and physical history and financial statement of applicant, date of application, visitor's report, and recommendation of board. Arr. numerically by application nos. No index. Typed. 12 x 14 x 24. Pub. welf. off.

343. RECORD OF ASSISTANCE FOR BLIND PERSONS, INACTIVE, 1936—. 1 file drawer.

Inactive applications for assistance to the blind and statistical reports to state department of public welfare of individuals recommended for grants of blind assistance, showing application code and serial numbers, name, color, personal and physical history and financial statement of applicant, visitor's report, date of application, and reason for cancellation or rejection. Arr. numerically by application nos. No index. Typed. 12 x 14 x 24. Pub. welf. off.

CLAIMS

(See also entry 263)

344. REGISTER OF CLAIMS FILED AND WARRANTS ISSUED, 1936—. 1 vol.

Record of monthly approved claims for which warrants have been issued, showing date, amount and purpose of claim, name of claimant, and date and amount of warrant. Arr. chron. by dates of claims. No index. Typed. 400 pp. 11 x 14 x 2. Pub. welf. off.

For other old-age assistance records, see entries 82, 262, 326-32; for other dependent children records, see entries 262, 326, 331, 333-41.

XXVI. SURVEYOR

The surveyor is a constitutional officer, elected for a two-year term, without restriction on re-election. The office of surveyor is established in La Porte County under the Constitution of 1851 and the Revised Statutes of 1852.¹ He must furnish bond in an amount fixed by the board of commissioners of not less than five thousand dollars.²

Prior to the Constitution of 1851, the surveyor was a statutory officer. He was appointed by the board of commissioners, under the revision of 1831³ and the county organization act.⁴

The surveyor has charge, under the direction of the board of commissioners of all surveying and civil engineering of the county and superintends all construction and maintenance of county ditches;⁵ of the preparation of plans, specifications for, and supervision of the construction of all bridges, turnpikes, roads, and levees.⁶ The surveyor is authorized to appoint deputies and assistants as is required, subject to the approval of the board of county commissioners.⁷

For private parties, the surveyor takes acknowledgments of mortgages and deeds for the conveyance of real estate,⁸ and, upon request, makes surveys to establish lines and corners of lands.⁹

The surveyor is required to preserve a copy of the original field notes of the surveys of the townships in his county¹⁰ and a record of all surveys made by him.¹¹ He is required to attend all sessions of the annual road school during his incumbency, the term of said school shall be for a period of not less than one week, with all expenses paid from the general fund of the county.¹²

¹ Const., art. 6, sec. 2. 1 Rev. Stat. 1852; Burns 49-3301; Baldwin 5504.

² Acts 1913; Burns 49-3302; Baldwin 5505.

³ Rev. Laws 1831, ch. 102, sec. 1.

⁴ Acts 1831-32, ch. 2, sec. 7.

⁵ Acts 1933; Burns 27-101; Baldwin 5737.

⁶ 1 Rev. Stat. 1852, Acts 1911; Burns 49-3309; Baldwin 5508.

⁷ Acts 1933; Burns 27-102; Baldwin 5738.

⁸ 1 Rev. Stat. 1852, Acts 1857; Burns 49-3317; Baldwin 5519.

⁹ 1 Rev. Stat. 1852, Acts 1875; Burns 49-3311; Baldwin 5509.

¹⁰ 1 Rev. Stat. 1852, Acts 1911; Burns 49-3309; Baldwin 5508.

¹¹ 1 Rev. Stat. 1852, Acts 1875; Burns 49-3311; Baldwin 5509.

¹² Acts 1925; Burns 49-3323; Baldwin 5520.

345. SURVEYOR'S RECORD, 1848—. 3 vols. Last entry Oct. 25, 1935. Record of all surveys made by surveyor, showing date of survey, name of property owner, location and description of land, and field notes of survey. Arr. chron. by dates of surveys. No index. Hdw. 500 pp. 18 x 12 x 2. Surv. off.

346. SURVEYOR'S RECORD [Legal Surveys], 1848—. 2 vols. (1, and 1 vol. not numbered).

Plats of legal surveys made by the county surveyor, showing date of survey, name of surveyor, legal description of property, and location of boundary lines. Arr. chron. by dates of surveys. No index. Hdw. 584 pp. 18 x 12 x 2½. Surv. off.

347. RECORDS [Original Government Surveys], 1829-35. 1 vol.

Transcripts of original government surveys to establish section lines of La Porte County, showing date of survey, description of land, section and quarter section boundary lines, and course of streams. Arr. numerically by range and twp. nos. No index. Hdw. 800 pp. 14½ x 10 x 2½. Surv. off.

For plats of original government surveys, see entry 68.

348. FIELD BOOKS, 1848—. 387 vols.

Original field notes taken while making surveys, showing date and name of survey, description of land, location of corner stones and markings, and measurements of areas in chains and links or feet and inches. Arr. chron. by dates of surveys. For index, see entry 349. Hdw. 80 pp. 7 x 4½ x 1. Surv. off.

349. INDEX [To Field Books], 1859—. 7 vols.

Partial index to Field Books, entry 348, showing date and name of survey and volume and page reference to recording. Arr. alph. by names of surveys. Hdw. 24 pp. 14 x 9 x 1. Surv. off.

350. DRAINAGE RECORD, 1833—. 3 vols.

Record of notes made in survey of new and repaired ditches, showing date of survey, description of ditch, names of property owners, location and description of land, number of acres benefited, original specifications of surface and grade, and amount of assessment. Arr. chron. by dates of surveys. Indexed alph. by names of ditches. Hdw. 295 pp. 18 x 13 x 2½. Surv. off.

For other ditch records, see entries 21-24, 95, 232.

XXVII. COUNTY HIGHWAY SUPERVISOR

The highway supervisor of La Porte County is appointed by the board of commissioners under the authority of an act of 1933 and serves at the will of the board. The board may appoint the surveyor or any other qualified person to the office; but if any individual other than the surveyor is appointed, he must attend all sessions of the annual road school at Purdue University during his incumbency.¹

From 1879 to 1913, the board of commissioners was constituted, by the general assembly, a board of turnpike directors for the management

¹ Acts 1933; Burns 36-1110; Baldwin 8708.

and control of county highways.² This board was abolished by an act of 1913 and the office of superintendent of highways was created. The superintendent was appointed by the board of commissioners and placed in charge of highways.³ This office was abolished in 1933,⁴ and the office of highway supervisor created.⁵ After the creation of the office of highway supervisor in 1933, the surveyor was highway supervisor by appointment of the board of commissioners until the year 1938, when a separate highway supervisor was appointed.⁶

The highway supervisor has general charge of the repair and maintenance of county highways, bridges, and culverts;⁷ he maps all highways, dividing the roads into districts, giving each road a separate name or number, and setting forth the length and character of each road and the kind and volume of traffic for the purpose of uniform maintenance;⁸ he exercises police power in the control of highways and may fix the limit of loads for any highway, bridge, or culvert;⁹ he establishes standards for maintenance according to topography, nature, and volume of traffic, and the availability of repair materials; and he makes a complete itemized estimate of the cost of repair and maintenance of highways, bridges, and culverts for the annual budget.¹⁰ He attends all regular meetings of the board of commissioners, and advises with them concerning repair and maintenance of the county roads.¹¹

The records of the highway supervisor are maps of the highway system made by him,¹² reports of work in progress,¹³ monthly reports to the board of commissioners of all work done, and an annual report of his work, with a complete statement of all expenditures under his supervision.¹⁴

351. HIGHWAY SUPERVISOR LEDGER, 1934—. 2 vols.

Ledger of expenditures of county highway funds against appropriation, showing dates and amounts of appropriation and disbursement, name of fund, and balance. Arr. by names of funds, thereunder chron. by dates of disbursements. No index. Hdw. 300 pp. 8½ x 14 x 2. Surv. off.

352. REGISTER OF REQUISITIONS FOR MATERIALS, 1935—. 1 vol.

Highway supervisor's register of requisitions for materials, supplies and equipment, showing date and number of requisition, names of supervisor and commissioners, description and quantity of materials, and date of

² Acts 1879, ch. 115, sec. 1.

³ Acts 1913, ch. 330, sec. 1.

⁴ Acts 1933; Burns 36-1113.

⁵ Acts 1933; Burns 36-1110; Baldwin 8708.

⁶ Acts 1933; Burns 36-1101, 36-1102, 36-1110; Baldwin 8699, 8700, 8708.

⁷ Acts 1933; Burns 36-1102, 36-1110; Baldwin 8700, 8708.

⁸ Acts 1933; Burns 36-1109, 36-1110; Baldwin 8707, 8708.

⁹ Acts 1933; Burns 36-1102; Baldwin 8700. The act names the surveyor but the highway supervisor performs all such duties under authority of the act of 1933, Burns 35-1110; Baldwin 8708.

¹⁰ Acts 1933; Burns 36-1103; Baldwin 8701. *Bateman v. State*, — Ind. —, 14 N.E. (2d) 1007.

¹¹ Acts 1933; Burns 36-1104; Baldwin 8702.

¹² Acts 1933; Burns 36-1109; Baldwin 8707.

¹³ Acts 1933; Burns 36-1106; Baldwin 8704.

¹⁴ Acts 1933; Burns 36-1104; Baldwin 8702.

delivery. Arr. chron. by dates of requisitions. No index. Hdw. 200 pp. 11 x 8½ x 1. High. sup. off., Lake and Tyler Sts., La Porte.

353. EMERGENCY PURCHASE ORDER, 1923—. 7 file drawers.

Original emergency purchase orders issued by highway supervisors for materials, supplies and equipment, showing date of order, name and address of dealer, place of delivery, account number, and quantity, description, and unit price of order. Arr. chron. by dates of orders. No index. Typed. 8 x 13½ x 20. 6 file drawers, 1923-37, bsmt. vt.; 1 file drawer, 1938—, high. sup. off., Lake and Tyler Sts., La Porte.

354. DELIVERY ORDERS, 1935—. 1 vol.

Copies of orders issued by highway supervisor for delivery of materials by successful bidders on contracts, showing date and serial number of order, quantity, description, unit price and total cost of material, name and address of bidder, and delivery place. Arr. chron. by dates of orders. No index. Typed. 400 pp. 5 x 8½ x 2. Surv. off.

355. DELIVERY ORDERS, 1923—. 7 file boxes, 1 bdl.

Original delivery orders for materials and supplies delivered to county highway department, showing date and number of order, name and address of consignor, and quantity, description, unit price and total cost of materials delivered. Arr. chron. by dates of orders. No index. Typed. 5 x 5 x 9. 7 file boxes, 1923-37, bsmt. vt.; 1 bdl., 1938—, high. sup. off., Lake and Tyler Sts., La Porte.

XXVIII. COUNTY AGRICULTURAL AGENT

The agricultural agent of La Porte County is appointed by the director of agricultural extension service of Purdue University, subject to the approval of the state board—entitled county agricultural agent board—under the authority of an act of 1913, as amended in 1937. His qualifications are prescribed by the board, and his salary is paid from county and state funds through Purdue University.¹

The Soil and Crop Improvement Association of La Porte County, organized August 10, 1912, gave the first impetus to the appointment of an agricultural agent.² This office was legalized by an act of 1913 and was thus continued until the amendatory act of 1937 made the office mandatory. The agent was appointed annually by Purdue University, subject to the approval of the state and county boards of education. The state paid part of his salary.³

The agricultural agent, under the supervision of Purdue University, co-operates with farmers' institutes, farmers' clubs, and other rural and civic organizations; conducts practical farm demonstrations, boys' and girls' clubs and contest work, and other movements for the advancement of agricultural and country life; gives advice to farmers on practical

¹ Acts 1913, 1923, 1927, 1937; Burns, 1938 suppl., 28-4911; Baldwin, 1937 suppl., 6457.

² Edith J. Backus, editor, *La Porte, Indiana. History of First Hundred Years*, 2:248-49 (typewritten; copies are available in the LaPorte Public Library and the Indiana State Library).

³ Acts 1913, ch. 24, sec. 12.

farm problems; and aids the superintendents of schools and the teachers of the county in giving practical education in agriculture and domestic science.⁴

In order to develop extension programs for the improvement and advancement of agriculture, home economics, and rural life in harmony with federal and state laws, the La Porte County agricultural agent employs a home demonstration agent, who is also the boys' and girls' 4-H Club agent, and other necessary assistants. They work under his supervision and are paid by funds appropriated by the county council.⁵

The records of the agricultural agent consist of reports of his activities to Purdue University, under its direction.

356. COUNTY AGENTS' ANNUAL REPORT, 1917—. 1 file drawer.

Annual narrative reports of agricultural agent to Purdue University, including reports of general activities, enrollment of 4-H clubs, extension committees, child development and parent education, showing date of report, names of various committees and projects, nature of programs and summary of accomplishments. Arr. chron. by dates of reports. No index. 10 x 12 x 24. Agr. Agt. off.

357. COUNTY AGENT BILLS AND ALLOWANCES, 1913—. 1 file box. Copies of claims for salary and expenses of county agent approved by Purdue University and filed with auditor for payment, showing dates and amounts of claim and allowance, and name of claimant. Arr. chron. by dates of claims. No index. Typed. 12 x 4 x 14. Agr. agt. off.

358. ENROLLMENT CARDS [Boys 4-H Club Work], 1939—. 1 file box. Annual enrollment cards for boys 4-H Club work, showing date of enrollment, names and address of member and parents, number of years engaged in 4-H Club work, age of member, and nature of project work. Arr. alph. by names of twps., thereunder alph. by names of members. No index. Hdw. 4 x 6 x 9. Agr. agt. off.

For prior records, see entry 360

359. ENROLLMENT CARDS [Girls 4-H Club Work], 1939—. 1 file box. Annual enrollment cards for girls 4-H Club work, showing date of enrollment, names and address of member and parents, age of member, school attended, number of years engaged in 4-H Club work, and nature of project work. Arr. alph. by names of twps., thereunder alph. by names of members. Hdw. 4 x 6 x 9. Agr. agt. off.

For prior records, see entry 360.

360. ANNUAL MAILING LIST [Boys and Girls 4-H Club Members], 1926-38. 1 carton.

Annual lists of members of boys and girls 4-H Clubs, showing name, age, and address of member, nature of enrollment, and total number of years engaged in 4-H Club work. Arr. alph. by names of twps., thereunder alph. by names of members. No index. Hdw. 11 x 14 x 24. Agr. agt. off.

For subsequent records, see entries 358, 359.

⁴ Acts 1913, 1923, 1927, 1937; Burns, 1938 suppl., 28-4911; Baldwin, 1937 suppl., 6457.

⁵ Acts 1931; Burns 28-5627; Baldwin 6475.

XXIX. COUNTY INSPECTOR OF WEIGHTS AND MEASURES

The office of inspector of weights and measures was established in La Porte County in 1934,¹ under authority of an act of 1925.² The inspector is appointed by the board of commissioners, subject to approval by the state commissioner of weights and measures, after a state examination.³ He must give bond in an amount satisfactory to the board of commissioners.⁴

Inspection of weights and measures by the county existed from its organization. Early statutes provided that the board doing county business should procure the necessary equipment and the clerk of the circuit court should act as inspector.⁵

The inspector takes charge of and safely keeps the county standards, which are inspected by the state bureau at least once every two years. He may, within his county, inspect and test all weights, scales, beams, and measures of every kind; all instruments or mechanical devices for measurement; and the tools, appliances, or accessories, connected with any or all such instruments or measurements; and ascertain if they are correct.⁶ The inspector and his deputies act as special policemen and may arrest without formal warrant anyone using or in possession of weights, scales, or measures, found to be false or fraudulent or not conforming to the legal standard, or offering for sale packages or amounts of commodities in violation of the law. He may condemn, cause to be repaired, or use as evidence any false weights, scales, or measures.⁷

When the inspector or his agent tests and compares any scales, weights, and measures, he seals and marks them with the words "Ind. S.", meaning Indiana standard, and the last two figures of the year of inspection. This sealing must be done at least once a year, or oftener if necessary.⁸

The inspector must keep a complete record of his work, and submit both monthly and annual reports to the board of commissioners and to the state commissioner of weights and measures.⁹ The board of commissioners supplies the inspector with the necessary apparatus for carrying out his duties.¹⁰ The apparatus must be of a standard acceptable to the state commissioner of weights and measures.¹¹

361. PERMANENT DAILY REPORT MISCELLANEOUS COMMODITIES,
1935—. 10 vols.

Duplicates of daily reports of tests of weighing and measuring devices

¹ "Report of the State Bureau of Weights and Measures, 1933-34," *Year Book of the State of Indiana for the Year 1934* (1935).

² Acts 1925; Burns 69-104; Baldwin 16335.

³ Acts 1925; Burns 69-104, 69-107; Baldwin 16335, 16338.

⁴ Acts 1925; Burns 69-106; Baldwin 16337.

⁵ Acts 1817-18 (general), ch. 67, secs. 1, 2. Rev. Laws 1824, ch. 116, secs. 1, 2.

⁶ Acts 1925; Burns 69-103, 69-106; Baldwin 16334, 16337.

⁷ Acts 1925; Burns 69-108, 69-109; Baldwin 16339, 16340.

⁸ Acts 1925; Burns 69-106, 69-108; Baldwin 16337, 16339.

⁹ Acts 1925; Burns 69-106; Baldwin 16337.

¹⁰ Acts 1925; Burns 69-104; Baldwin 16335.

¹¹ Acts 1925; Burns 69-102; Baldwin 16333.

submitted by inspector of weights and measures to state bureau of weights and measures, showing date and number of test, name and address of owner, kind of business, name of manufacturer of device, number of years device has been used, result of test, and total number of scales and measuring devices tested. Arr. numerically by test nos. No index. Hdw. 150 pp. 4 x 7 x 1. Insp. off.

362. PERMANENT DAILY REPORT COAL REWEIGHING, 1935—. 2 vols. Duplicates of daily coal weighing reports made to state bureau of weights and measures, showing date and number of test, names and addresses of purchaser, sworn weigher, teamster and seller, place where reweighed, and result of weighing. Arr. numerically by test nos. No index. Hdw. 150 pp. 4 x 7 x 1. Insp. off.

363. PERMANENT DAILY REPORT GASOLINE PUMPS AND LIQUID MEASURES, 1935—. 5 vols.

Copies of daily reports submitted to state bureau of weights and measures of tests of pumps and liquid measuring devices, showing date and number of test, name and address of owner, nature of business, type and manufacturer's number of pump, capacity of liquid measure, and result of test. Arr. numerically by test nos. No index. Hdw. 150 pp. 4 x 7 x 1. Insp. off.

364. CONVICTIONS, 1935—. 1 file box.

Card record of persons convicted for violating weights and measures law, showing date of violation, names and addresses of defendant and witness, nature of charge, number and character of previous warnings and prosecutions, and total amount of fine and costs. Arr. alph. by names of defendants. No index. Hdw. 3½ x 5 x 8. Insp. off.

365. INSPECTOR'S MONTHLY REPORT TO COUNTY COMMISSIONERS, 1935—. 3 vols.

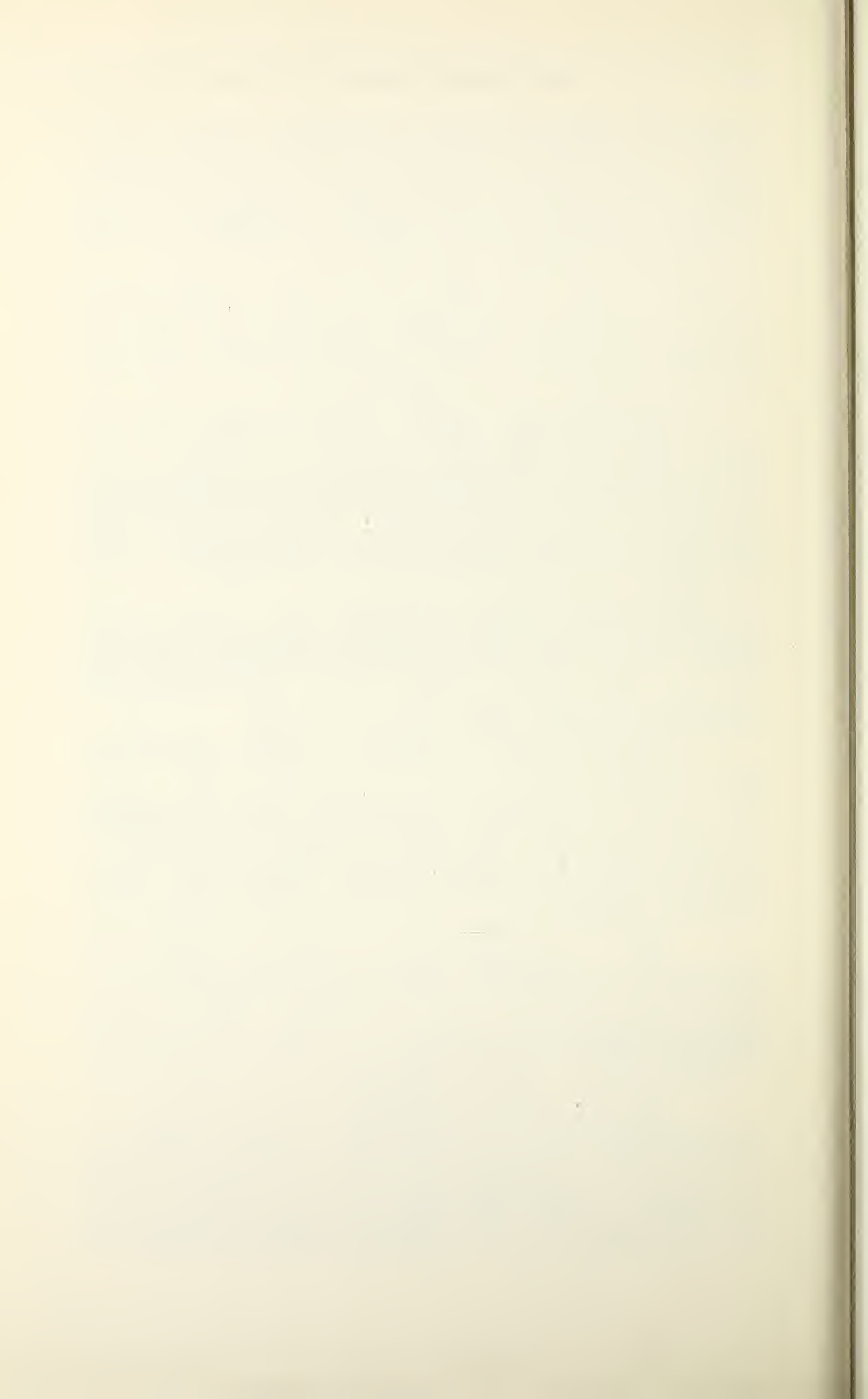
Record of monthly reports submitted by inspector of weights and measures to board of commissioners, showing dates of report and inspection, name of inspector, type of scale and measure inspected, and numbers of corrections, adjustments, condemnations, confiscations, prosecutions and convictions. Arr. chron. by dates of reports. No index. Hdw. 100 pp. 6 x 11 x ½. Insp. off.

366. INSPECTOR'S ANNUAL REPORT TO COUNTY COMMISSIONERS, 1936—. 1 file drawer.

Annual reports by inspector of weights and measures to board of commissioners, showing dates of reports and inspection, name of inspector, types of scales and measures inspected, and numbers of adjustments, condemnations, prosecutions and convictions. Arr. chron. by dates of reports. No index. Hdw. 11 x 13½ x 24. Insp. off.

367. INSPECTORS REPORTS TO STATE BUREAU OF WEIGHTS AND MEASURES, 1935—. 2 file drawers.

Copies of annual reports submitted to state bureau of weights and measures relative to prosecutions for violations of weights and measures act, showing dates of report and affidavit, names of inspector, defendant and witnesses, nature of charge, action of court, and amount of fine and costs assessed. Arr. chron. by dates of reports. No index. Hdw. 11 x 13½ x 24. Insp. off.



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